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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Ms. BALDWIN).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
March 4, 2010.

I hereby appoint the Honorable TAMMY BALDWIN to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer: Lord, so blessed are we in the United States of America that when we hear Your words of blessing upon Abram, the great man of faith, we hear those words as spoken to the very soul of this Nation.

"I will make of you a great Nation, and I will bless you. I will make your name great so that you will be a blessing. I will bless those who bless you and curse those who curse you. All the communities of the Earth shall find blessing in you."

And the people said: Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Texas (Mr. SAM JOHNSON) come forward and lead the House in the Pledge of Allegiance.

Mr. SAM JOHNSON of Texas led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

LEAVING AFGHANISTAN

(Mr. KUCINICH asked and was given permission to address the House for 1 minute.)

Mr. KUCINICH. There is a new way to fight war in Afghanistan. U.S. commanders are publicly telling the Taliban when we are coming and where we are going to be to wage war. This, while Karzai tries to cut a deal with the Taliban. Meanwhile, a large offensive is being mounted, an assault on Kandahar. The U.S. is going to have 100,000 troops mounted for a big battle by autumn. We're using 1.1 million gallons of fuel a day, logistical problems abound.

Here is a quote from the February 20 National Journal: So despite the immense effort to push out supplies, frontline fighters sometimes don't even have the minimum they need. "We had guys out there at the outpost in an area of operations starving because we couldn't get a resupply into them," said one major.

Now, will the surge change that? And what's this all about? To strengthen and corrupt the central government which is building villas in Dubai?

I am bringing a privileged resolution to the floor to get out of Afghanistan, and I urge your support.

HEALTH CARE

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. You know, I think after yet another health care speech by the President, the American people are sick and tired of the Democrats' "I know what's best for you" attitude. Congress needs to wake up and realize that Americans know more about their health care needs than the government bureaucrats. They know exactly what a Washington takeover of health care means, and they're shouting from the rooftops: No, no, no.

It's time for the President and Speaker PELOSI to realize that this policy debate isn't between Democrats and Republicans; it's between the Democrats and the American people. And the American people are saying, Enough is enough. They don't want a health care bill that raise taxes, stifles small business, increases insurance premiums, and cuts Medicare.

If the Democrats insist on ramming this bill through against the will of the American people, then they'd better be prepared to suffer the consequences in November.

PEACE CORPS ANNIVERSARY

(Mrs. CAPPS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPPS. Madam Speaker, I rise today to pay tribute to the Peace Corps.

This week the Peace Corps celebrates their 49th anniversary. Since 1961 nearly 200,000 volunteers have served in 139 countries around the world. These talented and selfless volunteers have made lasting contributions in agriculture, business development, sustainable infrastructure, education, health,

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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HIV/AIDS, and the environment. Each volunteer's work represents a legacy of service that has become a significant part of America's history and positive image abroad.

These accomplished volunteers come from very diverse backgrounds, including prestigious universities like the University of California in Santa Barbara, located in my district. I am proud to represent this campus, which consistently provides one of the highest numbers of recruits for the Peace Corps.

Again, congratulations, Peace Corps, on your anniversary, and thank you for the wonderful work you do.

ORANGEBURG PREPARATORY SCHOOL

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. This morning, 79 students from Orangeburg Preparatory School in South Carolina's Second District are in the Capitol to learn about the legislative process and the history of the Nation's Capitol Building. Under the leadership of Head Master Kelly Mills, the students at Orangeburg Preparatory School excel both in and out of the classroom. Such success is achieved through partnerships between the community, teachers, parents, students, and alumni.

As a member of the House Education and Labor Committee, I am grateful to spend time with these bright young students and will continue to pursue policies that advance fiscally responsible reforms that will improve their educational opportunities through higher education and beyond. We need insurance reform, not big government takeover. I also want to note that when you meet them, the students here today from Orangeburg Prep continue a tradition to be the best-dressed student group to visit the Capitol.

In conclusion, God bless our troops, and we will never September the 11th in the global war on terrorism.

CONTRIBUTIONS OF THE RECOVERY ACT

(Mr. SIREs asked and was given permission to address the House for 1 minute.)

Mr. SIREs. Madam Speaker, it has been now over a year since we took sweeping action to recover our economy. The Recovery Act has consistently grown our economy by creating or saving more than 2 million jobs, giving 95 percent of American workers a tax cut and beginning to rebuild our crumbling infrastructure, all while making investments in a clean energy future and working to improve our Nation's health care.

In the past year, the Recovery Act has provided \$120 billion in tax cuts for working families and business, loaned nearly \$20 billion to small businesses to

expand and create jobs, founded more than 12,500 transportation projects, and helped keep over 300 educators on the job. The Recovery Act has also put us on a path towards a green economy through investments in green job training programs. Furthermore, the Recovery money has funded the creation and expansion of community health centers all over the country as well as increased investment in health information technology.

Madam Speaker, while there is still much to be done to fully recover our economy, it would be a lot worse had we not passed the Recovery Act.

RESIGNATION AS ACTING CHAIR OF COMMITTEE ON WAYS AND MEANS.

The SPEAKER pro tempore laid before the House the following resignation as acting chair of the Committee on Ways and Means:

HOUSE OF REPRESENTATIVES,
Washington, DC, March 4, 2010.

Hon. NANCY PELOSI,
Speaker, The Capitol
Washington, DC.

DEAR MADAM SPEAKER: I hereby resign as acting chairman of the Committee on Ways and Means.

Sincerely,

PETE STARK,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

WASHINGTON IS NOT LISTENING

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Madam Speaker, it's deja vu all over again on the health care bill. The people have tried every way they know to have their voices heard. Town halls, tea parties, even special elections. The people don't want Washington bureaucrats making their medical decisions. But Washington's not listening. People don't want the Feds forcing them to buy health insurance or pay a fine, an idea that's unconstitutional. But Washington's not listening. And when the Senate bill fully kicks in, it will cost \$2.5 trillion. We don't have the money. Spending on bailouts and stimulus bills, the taxpayers are out of money. We're broke, and we're borrowing billions of dollars from the Chinese.

But Washington's not listening. The massive health care bill now is 2,700 pages long. Churchill once said, "This report, by its very length, defends itself against the risk of being read." Americans don't want a European-style Nanny State where government makes all our decisions. Government-run health care is unhealthy for Americans, but Washington's not listening.

And that's just the way it is.

INVESTMENTS IN EDUCATION AND INFRASTRUCTURE

(Ms. EDWARDS of Maryland asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. EDWARDS of Maryland. Madam Speaker, it's past time to boost sustainable job creation by making strong commitments to our Nation's education and infrastructure. The results of the American Recovery and Reinvestment Act actually prove the point, but it can't be a one-shot deal. The hemorrhaging of jobs has stopped. In fact, jobless claims fell last week by 29,000. But now it's time to send all our people back to work. We can't do it on the cheap, and every State across our Nation has to be included. We need investments in plants and equipment to bring our manufacturing capacity into the 21st century before the rest of the world outpaces us.

And let's find the political courage to buy America in order to build America, encouraging our businesses to create jobs here at home and not ship them abroad. We need sustained investments in vocational and technical training, community colleges, and retraining to grow a workforce to retain our competitive edge. And we have to foster innovation and creativity among our small businesses and entrepreneurs.

Madam Speaker, our economic future relies on the strength of our education and the breadth of our opportunities. We must act quickly or risk being left behind.

REMEMBERING SKIP NELSON OF ARIZONA

(Mr. FLAKE asked and was given permission to address the House for 1 minute.)

Mr. FLAKE. Madam Speaker, I rise today to honor the memory of Skip Nelson, who passed away earlier this week, leaving us all far too early. Arizona was blessed that Skip called the State home for most of his life. He was known by many and respected by all. Countless individuals, groups, and organizations have benefited from his good work, his generosity, and his wise counsel.

I had the distinct privilege of knowing Skip for more than a decade. From my vantage point, for all the notable accomplishments and achievements in his life, it was within the walls of his own home that Skip's most important and lasting work was accomplished. Along with Judy, his beloved wife of more than 30 years, Skip raised three upright and honorable children, Mike, Ryan, and Erin, who will surely carry on his legacy. In fact, Mike and Ryan have already done much good here on Capitol Hill. Every State and community deserves to have a man of the caliber of Skip Nelson. We count ourselves fortunate in Arizona to have had him as long as we did.

HONORING WOMEN VETERANS

(Ms. GIFFORDS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. GIFFORDS. Madam Speaker, March is Women's History Month, and I rise today to pay tribute to the women who have served our country with honor and distinction. Women such as Major General Susan Lawrence, the commander of the Army's Netcom and 9th Signal Command at Fort Huachuca. She is a true inspiration to soldiers in Arizona and women everywhere.

Women such as Lori Piestewa, a U.S. Army soldier killed during an attack in Iraq in 2003. A member of the Hopi tribe, she was born and raised in Arizona and became the first woman in the U.S. Armed Forces killed in Iraq and the first Native American woman to die in combat while serving in the United States military. And women such as Air Force Lieutenant Meredith Doran. Working from Davis-Monthan Air Force Base in Tucson, she is an aircraft traffic controller involved in the Haitian earthquake relief effort underway today.

Women have voluntarily served in every conflict since the early days of the Revolutionary War, and their significant accomplishments are often overlooked. Every day, women fly jets in combat, engage enemies on the battlefield, and will soon also serve alongside their male counterparts on submarines.

This month and all year long, we should recognize and remember the service, sacrifice, and the lives of the women in our United States Armed Forces and everything that they have given to our country.

□ 1015

UNSUSTAINABLE HEALTH CARE COSTS

(Ms. JENKINS asked and was given permission to address the House for 1 minute.)

Ms. JENKINS. Health care costs are unsustainable. They are bankrupting families. They are bankrupting small businesses, and if they are not reformed, they will bankrupt our government. No one denies we need reform, but what Americans do not want is for D.C. politicians to centralize health care decisions in Washington and create another entitlement program when everyone knows we haven't paid for the entitlements we already have.

Instead, what Americans need are reforms that actually reduce health care costs for families, help folks with pre-existing conditions, and make it easier for small businesses to provide health care. The American people have rejected a government takeover of health care. So I urge my colleagues to support commonsense plans to fix what's broken without throwing out the rule book and without destroying what works for millions.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

RECOGNIZING THE IMPORTANCE
OF THE CENSUS AND NATIVE
AMERICAN PARTICIPATION

Mr. BACA. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1086) recognizing the importance and significance of the 2010 Census and encouraging each community within the Indian Country to name an elder to be the first member of that community to answer the 2010 Census.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1086

Recognizing the importance and significance of the 2010 Census and encouraging each community within the Indian Country to name an elder to be the first member of that community to answer the 2010 Census.

Whereas the decennial census is a responsibility of the Federal Government, mandated by article I, section 2 of the Constitution;

Whereas, in the 2000 Census, 4.3 million people, or 1.5 percent of the total United States population, stated that they were American Indian or Alaska Native;

Whereas, in the 2000 Census, 2.4 million people, or 1 percent of the United States population, stated that they were solely American Indian or Alaska Native;

Whereas Native Americans are the descendants of the aboriginal, indigenous, native people who were the original inhabitants of and who governed the lands that now constitute the United States;

Whereas the 2010 Census data is strictly confidential and Federal law prevents the information from being shared with any entity;

Whereas the 2010 Census is quick, safe, and easy to complete;

Whereas the census is a source of data on a number of issues of national importance, such as school attendance, educational attainment, and employment;

Whereas areas are underserved by the Federal Government if significant portions of the population, especially those in low-income and minority neighborhoods, fail to participate in the census;

Whereas full participation in the census is necessary to ensure an accurate depiction of the population of the United States;

Whereas, April 1, 2010, is the date for the 2010 Census;

Whereas the San Manuel Band Serrano Mission Indians in California propose to name an elder to be the first member of that community to answer the 2010 Census;

Whereas it is hoped that the naming of an elder to be the first member of that community to answer the 2010 Census will encourage other members of that community to answer the 2010 Census;

Whereas it is hoped that each other community within the Indian Country will name

an elder to be the first member of their community to answer the 2010 Census;

Whereas elders are looked upon as the trusted ones in the tribe who will have the most influence in carrying the message of how important an accurate 2010 Census count is; and

Whereas elder participation in the 2010 Census count will encourage others to participate in the 2010 Census: Now, therefore, be it;

Resolved, That the House of Representatives—

(1) recognizes the importance and significance of the 2010 census and encourages full participation in this critical process; and

(2) encourages each community within the Indian Country to name an elder to be the first member of that community to answer the 2010 Census.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. BACA) and the gentleman from California (Mr. BILBRAY) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. BACA).

GENERAL LEAVE

Mr. BACA. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous materials thereon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BACA. Madam Speaker, I yield myself such time as I may consume.

Today I rise in strong support of House Resolution 1086, a resolution that recognizes the importance and significance of the 2010 census and encourages each community within Indian Country to name an elder to be the first member of that community to answer the 2010 census.

I would like to thank the majority leader, STENY HOYER; Chairman ED TOWNS; and Ranking Member DARRELL ISSA for their support of this resolution that was introduced on February 22, 2010. I also want to recognize all committee staff and my personal staff for their hard work on this. I also would like to take the time to thank my colleagues in the House of Representatives for their bipartisan support, because it is a bipartisan bill that is good for all of us.

This resolution serves to raise the awareness of the importance of the 2010 census count and urges Indian Country to name an elder to be the first person to complete the 2010 census from each tribe. That shows respect and dignity for that elder. An accurate census count is very important because the data gathered will determine the allocations of dollars to State, local, and tribal governments.

Census data can help tribal leaders understand what their community needs are. Many tribal communities use census information to attract new businesses and plan for growth in the future. In fact, many tribes and tribal organizations use census data to plan

new facilities and programs for their communities and making their quality of life a lot better.

The 2010 census will be used as a future basis for the 1,400 funding programs under the Catalog of Federal Domestic Assistance; 245 of these programs use census data for distribution of funds through grants, loans, direct payments, and government grant payments. An accurate count is essential to everyone, especially in Indian Country.

In the year 2000 census, 4.3 million people, or 1.5 percent of the total United States population, stated that they were American Indians or Alaska Natives. Census data will help shape the future of our youth and sends a proud message to those individuals who can be identified.

In 2007, the American Community Survey reported that 40 percent of American Indian and Alaska Native population was under the age of 25. And in these tough economic times, Indian Country needs an accurate census count more than ever. That is why I am proud to work with the tribe from my area in California, along with Congressman JERRY LEWIS, that has the San Manuel Band of Mission Indians, led by my good friend Chairman James Ramos.

Next week, San Manuel Chairman Ramos will name Pauline Murrillo to be the first elder to complete the 2010 census form to be counted in their tribe. This is a short form with 10 questions. This is what it looks like. What San Manuel is doing is creative and innovative. Elders are looked upon as trusted leaders in most Native American communities. They are in the best position to help carry the message of the importance of an accurate 2010 census count. And also to bring pride and respect within each of the tribes.

By law, the Census Bureau cannot share respondents' answers with anyone, including tribal housing authorities, other Federal agencies, or law enforcement entities. However, there is still mistrust in the census in many tribes. The census needs our help, and this resolution drives home the message that we need to encourage tribal elders as partners in this challenge. With only 10 questions in the 2010 census questionnaire, it is one of the shortest questionnaires in history and it takes 10 minutes to complete for the average household.

The majority of households will receive the form by mail starting on March 15. However, special procedures will be used on many Indian reservations and in Alaska Native villages where homes do not have city-style addresses with a number and street name. In these areas, members of the community working with the census will visit homes to help fill out the form and take an accurate count. Distrust in the census will hurt the count especially, so these special procedures are arranged for the very hard-to-count tribal areas. That is why the U.S. Census

created a special tool kit to help deliver the message and complete an accurate count in Indian Country. With the help of tribal elders, the 2010 census can be a great success.

I encourage all Members to go back to their districts and work with the tribes in their areas, as I have, to ensure an accurate count for every community. I urge my colleagues to support greater census awareness in Indian Country and vote in favor of H. Res. 1086.

I reserve the balance of my time.

Mr. BILBRAY. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, the Constitution of the United States mandates on the Federal Government the responsibility of holding a census every decade. It is an essential part of our constitutional obligation, and actually a building block for our representative form of government. It also has evolved into a process to be able to assess how Federal funds and programs should be distributed.

The integrity of the census is so important that over the decades methods have been proposed how to improve and to secure the census numbers. Today we are actually talking about one aspect of the effort to improve the validity of these numbers and the integrity of the numbers, and that is to do an outreach to the communities of the Native Alaskans and American Indians. These are communities that tend to be more isolated than the general population and tend to be more suspicious of any government action, especially the Federal Government. And, frankly, the way the Federal Government has treated these two groups historically, I think we all say that a lot of the skepticism of the American Indian and Native Alaskans is well founded.

But this program is well based in a proposal to use the traditional respect for elders, the high regard and status of elders in the American Indian and Alaskan Native community really as a building block to build the understanding that this process is not just important to the Federal Government, it is not just important to the general population, but it is essential to those individuals who reside on Indian reservations and in Alaska.

This proposal is actually a great way to be able to bring this message that the census is for you, too, even if you are on a reservation. I think it is a very good way of doing it.

I have to say there are many things that the Federal Government does where we mean well, but we don't take the time to understand the individuals that we are trying to serve. We don't take the time or make the effort to understand that the Federal Government too often asks for one size fits all as somehow the perfect answer. This program customizes an approach to reflect those traditional customs and the heritage of our Native American and Native Alaskan populations.

I think that the integrity of the census is something that we don't talk enough about except when we have scandals and problems of groups and people being involved with it that basically are questionable at the time and pull a pale over the entire census process. This process is one I think where we will be able to look back and say there was a bipartisan effort not to try to manipulate the numbers or the process, but to allow the numbers to be true and well founded. I strongly support this concept.

Madam Speaker, I yield such time as he may consume to the gentleman from Georgia (Mr. BROUN).

Mr. BROUN of Georgia. I thank Mr. BILBRAY for yielding.

Madam Speaker, the census is one of the few, one of the very few truly constitutional functions that we are engaged in here in Congress. In fact, most of what Congress does today is unconstitutional according to the original intent. I am an original intent constitutionalist. I believe the Federal Government should only be doing 18 things that Article I, section 8 gives us the authority to do, but the census is certainly one of those. National defense, national security, taking care of our veterans and taking care of our folks in the armed services is, under the original intent of the Constitution, the major function of the Federal Government. And I am a very strong believer in that. I am a very strong believer in this government doing only those things that Article I, section 8 gives us the authority to do, and certainly taking the census is one of those.

Today we will be taking up a rule in the next series of votes, from what I understand, which is going to be a rule on a jobs bill. Well, jobs and the census certainly have a great correlation because the Census Bureau will be looking at who is unemployed in this country. In fact, that is what they do. Part of their job in the Census Bureau is to try to find out all of the demographic information. A lot of the things that the Census Bureau does, questions that they ask are none of the Census Bureau's or the Federal Government's business, frankly, but certainly I encourage people to fill out the census for the information that is actually required under the Constitution, and no more.

But, Madam Speaker, jobs are certainly important, and counting the jobless rate in this country is certainly an important function of knowing where we are. The States do this and the Federal Government takes all of that jobless information, and we are going to get a report just tomorrow about the new jobless rates.

Madam Speaker, just last week I was in one of my counties in Georgia in the 10th Congressional District and was talking to the county commission chairman, and in that discussion he was telling me 1 year ago the jobless rate in his county was over 14 percent.

I think it was 14.7, if I remember correctly. He said now the jobless rate in their county is down to a little over 10 percent. I said, That's great.

□ 1030

Is this because of the stimulus bill that we passed? Is this because new jobs were created in your county? And he said, No, we've had no new jobs in our county, none, absolutely zero. The reason that the unemployment rate is down in our county is because people have just stopped looking for jobs. They're discouraged. They're greatly discouraged. I think this is true all over this country. I think the fall in our jobless rate that we've seen recently, down from above 10 to just slightly below 10, is because people have gotten discouraged and they have just stopped looking.

We just passed an extender of unemployment benefits by voice vote. I'm not really happy that we've passed it by voice vote, but we did just last week. And, Madam Speaker, we are going to be taking up this jobs bill that we haven't even seen the text of, we have not even seen the bill. It is going to be brought to the floor of this House just like the stimulus bill was, without even having the opportunity to read these plans.

Madam Speaker, I believe that "jobs" by this new bill, from everything I can tell, should be an acronym. JOBS should be "just one big slush fund," an acronym for "just one big slush fund."

Madam Speaker, I introduced my own JOBS Act. My JOBS Act is an acronym for "jump-start our business sector." That's what we need to be doing; we need to be jump-starting our business sector by getting the tax burden and the regulatory burden off small business. Madam Speaker, small business is the economic engine that pulls along the train of prosperity in America, the small business. We are killing small business through the regulatory burden and the tax burden.

We're going to be taking up a health care bill very soon—we don't know when yet—ObamaCare. ObamaCare, Madam Speaker, is going to kill jobs in America. Let me say that again: ObamaCare is going to kill jobs in America. In fact, the bill that the House voted on, the President's own senior economic adviser said it will kill 5.5 million jobs, put 5.5 million Americans out of work if the House bill is put into law. The Senate bill, I haven't seen the data on it, but I'm sure those data are just the same. I'm not sure if it's 5.5 million or 5 million, but the recent proposal by the Obama administration is going to kill jobs, and creating more and more government spending is just creating more government jobs.

Madam Speaker, the American people need to decide, are we going to go down one route of socialism, total government control, total government takeover of everything in human en-

deavor, including health care, or are we going to go down the road of liberty and freedom? And I say liberty and freedom because I consider them to be a little different.

Madam Speaker, let me define liberty for you. This is my definition. I don't think you will find it in the dictionary, but I think it's very appropriate. Liberty is freedom bridled by morality. Liberty is freedom bridled by morality. America needs to decide, are we going to be a free people or are we going to be controlled by the Federal Government? Are doctors and patients going to make their health care decisions, or will it be some government bureaucrat in Washington?

Just yesterday, the President had a press conference where he said he wanted doctors and patients to make that decision, but his proposal will not do that. His proposal will make a government bureaucrat here in Washington, D.C. tell doctors and patients what kind of care they can get.

Madam Speaker, I am a medical doctor; I'm a family practitioner. I have fought for my patients for years as part of my practice, being concerned about their economic well-being. That's what family doctors do. I try to find the best quality care at the lowest price for my patients. That is an integral part of family medicine. But what we are heading towards with this government takeover of health care is going to destroy family medicine and destroy that basic premise of what we do as family doctors.

This jobs bill is going to be nothing more than one big slush fund. "Jobs" by the new bills that we've seen, at least in the Senate bill—and I think we're going to have something that is very close to that once we see the legislative language—is not going to be anything but one big slush fund, this political payback, and it's going to create jobs in the Federal Government.

Now, jobs have been created, certainly, by the failed stimulus package we passed a little over 1 year ago, but let's look back 1 year later at some of the spending low lights of that failed stimulus bill: \$67,726 was used by a casino outside Green Bay, Wisconsin. They used a Federal grant to send their employees to learn how to handle confrontations with their customers. This is not constitutional. But once they went there, it was clear to the instructors of this seminar that the casino staff already knew how to handle confrontations with their customers.

We've allocated, in Massachusetts, \$4 million in Federal stimulus dollars to build a 2.66-mile bike trail that connected the Manhan Bike Trail to the North Hampton and Norwottuck Trails. This would give those folks riding down that bike trail greater access to Taco Bell. I'm sure Taco Bell is very appreciative of the taxpayers' largess.

Millions of dollars were sent to Democratic operatives. Two firms run by Mark Penn, current Secretary of

State Clinton's former Presidential campaign pollster, were awarded \$5.9 million in taxpayer funds from the stimulus bills. I could go on and on and on.

We built bike racks in Georgetown with stimulus dollars that were put in place in neighborhoods where the average house value here in Georgetown was over \$1 million. I mean, come on. The American public needs to stand up and say "no" to this outrageous takeover of their liberty and their freedom.

Madam Speaker, a CEO of a steel-making corporation recently said, Companies large and small are saying, I'm not going to do anything until these things, health care and climate legislation, go away or are resolved. That is what's happening, Madam Speaker, in this country. Small businesses, and large, are scared. The American public is frightened.

When I did my very first town hall meeting last August in Evans, Georgia, talking about the Pelosi health care bill, I thanked the people for coming and expressing their concern about health care. When I did, after discussing the bill, I thanked the people for coming and showing their concern about health care. The second gentleman that got up in the question and answer period said, Dr. BROWN, I would like to disagree with you about something. I said, Sure, what is it? And he said, I want to disagree with you because I'm not concerned about health care; I'm scared and I'm angry. And a scared and angry American public is a power to be reckoned with. He got a tremendous round of applause. I applauded him also. And he is exactly right.

The American people need to stand up and say "no" to ObamaCare. Let's trash these bills that are on the floor for consideration now and let's start all over again and find something that makes sense. Let's have a jobs bill that makes sense and that really creates jobs.

The Republicans are accused by Democratic colleagues and by the President of being a "party of no." Well, we are the "party of k-n-o-w." We do know how to create a strong economy, and that's by getting the tax burden and regulatory burden off the small businesses in America and off the individuals, leaving dollars in their pockets so that they can expand their business and create more jobs and where consumers have more money so that they can expend it on goods and services here in America.

We know how to solve the health care financing problem we have in America where health care and drugs are too expensive. We can lower the cost of health care, not raise it as the ObamaCare bills all do. We know how to create jobs. We know how to get this economy back on track. We know how to lower the cost of health care if our ideas are just heard. But the leadership here in this House, the leadership in the Senate and the administration

have turned a deaf ear towards commonsense, market-based solutions.

And I ask, Madam Speaker, for the American people to stand up and say “no” to socialism and say “yes” to freedom and liberty.

I hope the American people will contact their Congressman and their Senators and say “no” to ObamaCare, “no” to this jobs bill, “no” to more socialism and more government control of their lives, and say “yes” to freedom and liberty.

Mr. BILBRAY. Madam Speaker, I would like to close by thanking my colleague from California. I want to thank him for a lot of reasons, but it was nice that you proposed a 2-page bill, not a 2,000-page bill. It was nice that you gave us over a week to be able to review it rather than a few hours. And it is darn nice to see that we can have a bipartisan effort and get something passed in this Congress that doesn't cost \$1 trillion. So thank you very much for taking a leadership role on this thing. Maybe we can get the leadership on both sides to recognize that maybe this is the process we ought to follow more often.

I yield back the balance of my time.

Mr. BACA. First of all, I would like to thank the gentleman from San Diego (Mr. BILBRAY) for his support of this. I know that he has always been supportive of Native Americans, not only now but in the past as well; so I appreciate that.

I also appreciate the gentleman from Georgia and his comments. I think he was supporting this legislation somewhere along the line as he was talking about jobs.

I also believe that it's important, and I know that President Obama has that as part of his top priority in creating jobs and dealing with the jobs in this country because he knows very well that the unemployment is now roughly around 10 percent, and he wants to make sure that he gets it up.

We know that unemployment will affect the census. I share in that sense that the gentleman from Georgia was supporting it because it's very important that we do an accurate count and that we count everyone because that will determine the amount of jobs that we have and the kinds of jobs to be created in our areas.

As I stated before, Madam Speaker, I would like to thank Chairman TOWNS, Ranking Member ISSA, and of course I want to thank again Mr. BILBRAY for his hard work and support, as well as the staff and others who have worked on this bill.

As we all know, an accurate count is vital to the importance of the American tribal communities and every other community. In my community, not too long ago we started a census count. We did it at Arrowhead Medical Center. We went there, and we began to try to tell the people in our communities the importance of having an accurate count, the importance of making sure that we count each and every

one, and that everyone participates in it; and also clarifying the law, clarifying the law that the information will not be used against any individual, but every individual must be counted within our communities.

What does it mean to our States, our counties, our cities? What does it mean to businesses in the area? It's important that we do an accurate count because that's the only way that we can determine how many dollars are going to come back into our communities. We won't know unless we do an accurate count.

The State of California won't be able to determine their budget if they don't do an accurate count. Based on the amount of dollars in that immediate area, they can then determine how much money is going to be coming back to the State of California, or any other State. Or a county official in an area can determine, when they look at their budget and try to determine what goes on, they can only do it if they have an accurate count. And city officials within the area can only determine what needs to go on in terms of, all right, What is my budget going to look like? What kind of services do I need to provide at the local level? How does it impact transportation? How does it impact education? How does it impact public safety? How does it impact public health?

And then local businesses in the area: we know that you need a strong marketing plan and you need to know where businesses want to relocate. It happens through the census.

□ 1045

So an accurate count is very important. If you're a businessperson and you want to start a business in the area, it's important that you have an accurate count because you know where you want to be located; you know the demographics of the area; you know the income of the area. If it's a doctor, then the doctor will know how many patients he is going to have and how much profit he is going to make. It's not about profit. It's about the service and quality of health care. I only made that statement, but it's important because we'll be able to determine that. So an accurate count in the area becomes very important. It also tells us how to market the area. How do we market the immediate area in terms of what goes on?

In Indian Country, it becomes very important to a lot of us when we look at many of our tribes in our areas and at the undercount that has been there. Many of our tribes and others have not been able to determine the kind of services they need within the reservations. This will determine the transportation, the housing in the area, the health in the area, and the kind of educational facilities. Most of all, it will be respect to an elder because this is about identifying the elders within each of the tribes and allowing them to be counted. It's important that we

count each and every one of the individuals and that we allow for the kind of respect that should be there, not only in this census but in others. If we look back at 1990 and 2000, we did an inaccurate count. There were many people who weren't counted.

I believe the census is making every effort in trying to reach out to our communities by marketing, by hiring individuals, by working in the communities, and by identifying those individuals. That kind of partnership and collaboration becomes very important to all of us if we want to make sure that we do an accurate count.

This bill is very important, not only to Native Americans now but in the future, when a child can then look up to future generations and say, It was my elder who was the first one to be counted, the true Americans in this country, and they should be the ones who should be counted first. This gives us an opportunity to approach them and to make sure that they are counted.

Mr. BROUN of Georgia. Will the gentleman yield?

Mr. BACA. I yield.

Mr. BROUN of Georgia. I just wanted to answer your question.

Yes, I absolutely support this. Counting the census is a constitutional duty. It's extremely important. Our Founding Fathers knew how important it was to know who people were, where they were, et cetera. So I do support the bill very strongly.

Madam Speaker, I yield back the balance of my time.

Mr. BACA. I thank the gentleman from Georgia for his support.

Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BACA) that the House suspend the rules and agree to the resolution, H. Res. 1086.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BACA. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H. Res. 699, by the yeas and nays;

H. Res. 1086, de novo;
H. Res. 1111, de novo.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

HONORING 139TH AIRLIFT WING

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 699, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. MARSHALL) that the House suspend the rules and agree to the resolution, H. Res. 699, as amended.

The vote was taken by electronic device, and there were—yeas 421, nays 0, not voting 10, as follows:

[Roll No. 84]

YEAS—421

Ackerman	Cardoza	Flake
Aderholt	Carney	Fleming
Adler (NJ)	Carson (IN)	Forbes
Akin	Carter	Fortenberry
Alexander	Cassidy	Foster
Altmire	Castle	Fox
Andrews	Castor (FL)	Frank (MA)
Arcuri	Chaffetz	Franks (AZ)
Austria	Chandler	Frelinghuysen
Baca	Childers	Fudge
Bachmann	Chu	Galleghy
Bachus	Clarke	Garamendi
Baird	Cleaver	Garrett (NJ)
Baldwin	Clyburn	Gerlach
Barrett (SC)	Coble	Giffords
Barrow	Coffman (CO)	Gingrey (GA)
Bartlett	Cohen	Gohmert
Barton (TX)	Cole	Gonzalez
Bean	Conaway	Goodlatte
Becerra	Connolly (VA)	Gordon (TN)
Berkley	Conyers	Granger
Berman	Cooper	Graves
Berry	Costa	Grayson
Biggert	Costello	Green, Al
Bilbray	Courtney	Green, Gene
Bilirakis	Crenshaw	Griffith
Bishop (GA)	Crowley	Grijalva
Bishop (NY)	Cuellar	Guthrie
Bishop (UT)	Culberson	Gutierrez
Blackburn	Cummings	Hall (NY)
Blumenauer	Davis (AL)	Hall (TX)
Blunt	Davis (CA)	Halvorson
Boehner	Davis (IL)	Hare
Bonner	Davis (KY)	Harman
Bono Mack	Davis (TN)	Harper
Boozman	Deal (GA)	Hastings (FL)
Boren	DeFazio	Hastings (WA)
Boswell	DeGette	Heinrich
Boucher	DeLauro	Heller
Boustany	Dent	Hensarling
Boyd	Diaz-Balart, L.	Herger
Brady (PA)	Diaz-Balart, M.	Herseth Sandlin
Brady (TX)	Dicks	Higgins
Braley (IA)	Dingell	Hill
Bright	Doggett	Himes
Broun (GA)	Donnelly (IN)	Hinche
Brown (SC)	Doyle	Hinojosa
Brown, Corrine	Dreier	Hiron
Brown-Waite,	Driehaus	Hodes
Ginny	Duncan	Holden
Buchanan	Edwards (MD)	Holt
Burgess	Edwards (TX)	Honda
Burton (IN)	Ehlers	Hoyer
Butterfield	Ellison	Hunter
Buyer	Ellsworth	Inglis
Calvert	Emerson	Inslee
Camp	Engel	Israel
Cantor	Eshoo	Issa
Cao	Etheridge	Jackson (IL)
Capito	Farr	Jackson Lee
Capps	Fattah	(TX)
Capuano	Filner	Jenkins

Johnson (GA)	Miller (FL)	Scalise
Johnson (IL)	Miller (MI)	Schakowsky
Johnson, E. B.	Miller (NC)	Schauer
Johnson, Sam	Miller, Gary	Schiff
Jones	Miller, George	Schmidt
Jordan (OH)	Minnick	Schock
Kagen	Mitchell	Schrader
Kanjorski	Mollohan	Schwartz
Kaptur	Moore (KS)	Scott (GA)
Kennedy	Moore (WI)	Scott (VA)
Kildee	Moran (KS)	Sensenbrenner
Kilpatrick (MI)	Moran (VA)	Serrano
Kilroy	Murphy (CT)	Sessions
Kind	Murphy (NY)	Sestak
King (IA)	Murphy, Patrick	Shadegg
King (NY)	Murphy, Tim	Shea-Porter
Kingston	Myrick	Sherman
Kirk	Nadler (NY)	Shimkus
Kirkpatrick (AZ)	Napolitano	Shuler
Kissell	Neal (MA)	Shuster
Klein (FL)	Neugebauer	Simpson
Kline (MN)	Nunes	Sires
Kosmas	Nye	Skelton
Kratovil	Oberstar	Slaughter
Kucinich	Obey	Smith (NE)
Lamborn	Olson	Smith (NJ)
Lance	Oliver	Smith (TX)
Langevin	Ortiz	Smith (WA)
Larsen (WA)	Owens	Snyder
Larson (CT)	Pallone	Souder
Latham	Pascrell	Space
LaTourette	Pastor (AZ)	Speier
Latta	Paul	Spratt
Lee (CA)	Paulsen	Stark
Lee (NY)	Payne	Stearns
Levin	Pence	Stupak
Lewis (CA)	Perlmutter	Sullivan
Lewis (GA)	Perriello	Sutton
Linder	Peters	Tanner
Lipinski	Peterson	Petri
LoBiondo	Petri	Taylor
Loeback	Pingree (ME)	Teague
Lofgren, Zoe	Pitts	Terry
Lowe	Platts	Thompson (CA)
Lucas	Poe (TX)	Thompson (MS)
Luetkemeyer	Polis (CO)	Thompson (PA)
Lujan	Pomeroy	Thornberry
Lummis	Posey	Tiahrt
Lungren, Daniel	Price (GA)	Tiberi
E.	Price (NC)	Tierney
Lynch	Putnam	Titus
Mack	Quigley	Tonko
Maffei	Radanovich	Towns
Maloney	Rahall	Turner
Manzullo	Rangel	Upton
Marchant	Rehberg	Van Hollen
Markey (CO)	Reichert	Velázquez
Markey (MA)	Reyes	Visclosky
Marshall	Richardson	Walden
Matheson	Rodriguez	Walz
Matsui	Roe (TN)	Wamp
McCarthy (CA)	Rogers (AL)	Wasserman
McCarthy (NY)	Rogers (KY)	Schultz
McCaul	Rogers (MI)	Waters
McClintock	Rohrabacher	Watson
McCollum	Rooney	Watt
McCotter	Ros-Lehtinen	Waxman
McDermott	Roskam	Weiner
McGovern	Ross	Welch
McHenry	Rothman (NJ)	Westmoreland
McIntyre	Roybal-Allard	Whitfield
McKeon	Royce	Wilson (OH)
McMahon	Ruppersberger	Wilson (SC)
McMorris	Rush	Wittman
Rodgers	Ryan (OH)	Wolf
McNerney	Ryan (WI)	Woolsey
Meek (FL)	Salazar	Wu
Meeks (NY)	Sanchez, Linda	Yarmuth
Melancon	T.	Young (AK)
Mica	Sanchez, Loretta	Young (FL)
Michaud	Sarbanes	

NOT VOTING—10

Bocchieri	Dahlkemper	Massa
Campbell	Delahunt	Tsongas
Carnahan	Fallin	
Clay	Hoekstra	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1118

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 2847, COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

Ms. MATSUI, from the Committee on Rules, submitted a privileged report (Rept. No. 111–426) on the resolution (H. Res. 1137) providing for consideration of the Senate amendment to the bill (H.R. 2847) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

House Resolution 1086, de novo;

House Resolution 1111, de novo.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic vote will be conducted as a 5-minute vote.

RECOGNIZING THE IMPORTANCE OF THE CENSUS AND NATIVE AMERICAN PARTICIPATION

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 1086.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BACA) that the House suspend the rules and agree to the resolution, H. Res. 1086.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

RECORDED VOTE

Ms. MATSUI. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 415, noes 1, answered “present” 1, not voting 14, as follows:

[Roll No. 85]

AYES—415

Ackerman	Andrews	Baird
Aderholt	Arcuri	Baldwin
Adler (NJ)	Austria	Barrett (SC)
Akin	Baca	Barrow
Alexander	Bachmann	Bartlett
Altmire	Bachus	Barton (TX)

Bean
Becerra
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boccheri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite,
Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth

Emerson
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxy
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Insee
Israel
Issa
Jackson (IL)
Jackson Lee
(TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette

Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Lujan
Lummis
Lungren, Daniel
E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markley (CO)
Markley (MA)
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris
Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (WI)
Moran (KS)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Oliver
Ortiz
Owens
Pallone
Pascarell
Pastor (AZ)
Paulsen
Payne
Pence
Perlmuter
Perrillo
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich

Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz

Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)

Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Tonko
Towns
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman
Schultz
Walters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

READ ACROSS AMERICA DAY

The SPEAKER pro tempore (Ms. BALDWIN). The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 1111.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Connecticut (Mr. COURTNEY) that the House suspend the rules and agree to the resolution, H. Res. 1111.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

RECORDED VOTE

Ms. MATSUI. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 414, noes 0, not voting 17, as follows:

[Roll No. 86]

AYES—414

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Becerra
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccheri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite,
Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carney
Carson (IN)
Carter

Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth

Foster
Foxy
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Insee
Israel
Issa
Jackson (IL)
Jackson Lee
(TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam

NOT VOTING—14

Berkley
Campbell
Carnahan
Dahlkemper
Delahunt

Fallin
Gohmert
Grayson
Hoekstra
Massa

Moore (KS)
Moran (VA)
Titus
Tsongas

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1138

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOMENT OF SILENCE IN REMEMBRANCE OF MEMBERS OF ARMED FORCES AND THEIR FAMILIES

The SPEAKER. The Chair would ask all present to rise for the purpose of a moment of silence.

The Chair asks that the House now observe a moment of silence in remembrance of our brave men and women in uniform who have given their lives in the service of our Nation in Iraq and in Afghanistan and their families, and all who serve in our Armed Forces and their families.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

Jones	Miller (NC)	Scalise
Jordan (OH)	Miller, Gary	Schakowsky
Kagen	Miller, George	Schauer
Kanjorski	Minnick	Schiff
Kaptur	Mitchell	Schmidt
Kennedy	Mollohan	Schock
Kildee	Moore (KS)	Schrader
Kilpatrick (MI)	Moore (WI)	Schwartz
Kilroy	Moran (KS)	Scott (GA)
Kind	Moran (VA)	Scott (VA)
King (IA)	Murphy (CT)	Sensenbrenner
King (NY)	Murphy (NY)	Serrano
Kingston	Murphy, Patrick	Sessions
Kirk	Murphy, Tim	Sestak
Kirkpatrick (AZ)	Myrick	Shadegg
Kissell	Nadler (NY)	Shea-Porter
Klein (FL)	Napolitano	Sherman
Kline (MN)	Neal (MA)	Shimkus
Kosmas	Neugebauer	Shuler
Kratovil	Nunes	Shuster
Kucinich	Nye	Simpson
Lamborn	Oberstar	Sires
Lance	Obey	Skelton
Langevin	Olson	Slaughter
Larsen (WA)	Olver	Smith (NE)
Larson (CT)	Ortiz	Smith (NJ)
Latham	Owens	Smith (TX)
LaTourette	Pallone	Smith (WA)
Latta	Pascarella	Snider
Lee (CA)	Pastor (AZ)	Souder
Lee (NY)	Paul	Space
Levin	Paulsen	Speier
Lewis (CA)	Payne	Spratt
Lewis (GA)	Pence	Stark
Linder	Perlmutter	Stearns
Lipinski	Perriello	Stupak
LoBiondo	Peters	Sullivan
Loeback	Peterson	Sutton
Lofgren, Zoe	Petri	Tanner
Lowey	Pingree (ME)	Taylor
Lucas	Pitts	Teague
Luetkemeyer	Platts	Terry
Lujan	Poe (TX)	Thompson (CA)
Lummis	Polis (CO)	Thompson (MS)
Lungren, Daniel	Pomeroy	Thompson (PA)
E.	Posey	Thornberry
Lynch	Price (GA)	Tiahrt
Mack	Price (NC)	Tiberi
Maffei	Putnam	Tierney
Maloney	Quigley	Tonko
Manzulio	Radanovich	Towns
Marchant	Rahall	Tsongas
Markey (CO)	Rangel	Turner
Markey (MA)	Rehberg	Upton
Marshall	Reichert	Van Hollen
Matheson	Reyes	Velázquez
Matsui	Richardson	Visclosky
McCarthy (CA)	Rodriguez	Walden
McCarthy (NY)	Roe (TN)	Walz
McCauley	Rogers (AL)	Wamp
McClintock	Rogers (KY)	Wasserman
McCollum	Rogers (MI)	Schultz
McCotter	Rohrabacher	Waters
McDermott	Rooney	Watson
McGovern	Ros-Lehtinen	Watt
McHenry	Roskam	Waxman
McIntyre	Ross	Weiner
McKeon	Rothman (NJ)	Welch
McMahon	Roybal-Allard	Westmoreland
McMorris	Royce	Whitfield
Rodgers	Ruppersberger	Wilson (OH)
McNerney	Rush	Wilson (SC)
Meek (FL)	Ryan (OH)	Wittman
Meeks (NY)	Ryan (WI)	Wolf
Melancon	Salazar	Woolsey
Mica	Sánchez, Linda	Wu
Michaud	T.	Yarmuth
Miller (FL)	Sanchez, Loretta	Young (AK)
Miller (MI)	Sarbanes	Young (FL)

NOT VOTING—17

Barton (TX)	Campbell	Fallin
Bean	Carnahan	Grayson
Berkley	Connolly (VA)	Hoekstra
Bishop (GA)	Crowley	Massa
Buchanan	Dahlkemper	Titus
Butterfield	Delahunt	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 1 minute remaining in this vote.

□ 1149

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced

As above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GRAYSON. Madam Speaker, on rollcall Nos. 85 and 86, H. Res. 1086, H. Res. 1111, I missed these votes to attend a bill signing with the President at the White House. Had I been present, I would have voted "aye."

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 4529

Mr. RYAN of Ohio. Madam Speaker, I ask unanimous consent that Representative ERIC PAULSEN of Minnesota be removed as a cosponsor of H.R. 4529.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 2847, COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

Ms. MATSUI. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 1137 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1137

Resolved, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 2847) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes, with the Senate amendment to the House amendment to the Senate amendment thereto, and to consider in the House, without intervention of any point of order except those arising under clause 10 of rule XXI, a motion offered by the chair of the Committee on Ways and Means or his designee that the House concur in the Senate amendment to the House amendment to the Senate amendment with the amendment printed in the report of the Committee on Rules accompanying this resolution. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. The previous question shall be considered as ordered on the motion to final adoption without intervening motion.

The SPEAKER pro tempore. The gentlewoman from California is recognized for 1 hour.

Ms. MATSUI. For the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. SESSIONS). All time yielded during consideration of the rule is for debate only. I yield myself such time as I may consume.

GENERAL LEAVE

Ms. MATSUI. I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 1137.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. MATSUI. Madam Speaker, House Resolution 1137 provides for consideration of the Senate amendment to H.R. 2847, the Hiring Incentives to Restore Employment Act. The rule makes in order a motion offered by the Chair of the Committee on Ways and Means, or his designee, that the House concur in the Senate amendment to the House amendment to the Senate amendment with the amendment printed in the report of the Committee on Rules accompanying this resolution.

The rule waives all points of order against consideration of the motion, except those arising under clause 10 of rule XXI. The rule provides the Senate amendment and the motion shall be considered as read. The rule provides 1 hour of debate on the motion equally divided and controlled by the Chair and ranking minority member of the Committee on Ways and Means.

Madam Speaker, in today's economy, many families are struggling to make ends meet. As we know, the economic recession began in 2008 as a direct result of reckless and irresponsible financial decisions. We are still dealing with the wreckage today. Over the last few years, I have heard countless stories of people struggling to put food on the table, pay their mortgages, and provide for their children, and millions of America's seniors are making decisions every day to skip meals or cut their pills in half just to survive.

California and, in particular, my constituents in Sacramento, have been greatly impacted by this economic crisis. Many of my constituents were and continue to be victims of predatory home loan lending, unfair credit card practices, payday loans, and other forms of unscrupulous business practices. They turned to Congress for help, and we responded with the CARD Act. And the ink was hardly dry on that legislation before credit card companies tried to find loopholes to arbitrarily raise credit card interest rates and fees on consumers.

This Congress also passed the Wall Street Reform and Consumer Protection Act, which will bring much-needed oversight and accountability to Wall Street. This bill also creates a new consumer financial protection agency to protect consumers from unfair and deceptive financial practices. Meanwhile, small businesses are seeking assistance to help make payroll, retain their employees, and pay for the skyrocketing costs of health insurance. These are the reasons why it is time to once again put the American people first and provide them with the support they need from their Representatives in Congress.

We need to pass the jobs bill before us today as a significant step towards helping hardworking Americans get back to work. The American people are hurting, and the top priority of this administration and this Congress must be

jobs, jobs, jobs. In December, the House passed a jobs package, the Jobs for Main Street Act that would make \$156 billion in targeted investments in our economy. The projects supported by this bill will improve our highways and transit infrastructure, renovate schools, and help small businesses rebuild, support job training initiatives, and affordable housing programs.

While the jobs package we are considering today is not as broad as the version passed by this House, it is an important step in the right direction and one we cannot afford not to enact. Today's bill is one that I hope will be the first of a series of job creation proposals that we will consider in the coming weeks and months because the reality is that the unemployment rate in this country is at an unacceptable level of 9.7 percent, and this bill will help incentivize employers to start hiring immediately. Already the Recovery Act, put forth by congressional Democrats, has saved or created more than 2 million jobs. That is according to CBO. The Recovery Act has clearly helped us rebound from this recession and saved us from the brink of another Great Depression.

The Recovery Act has greatly benefited my district and the entire Sacramento region, providing almost \$700 million for dozens of projects. Such projects include \$21 million for improving and enhancing Sacramento's levees from flood protection, public transportation facilities, developing clean energy technology, and hiring 30 new officers at the Sacramento Police Department. It is also helping struggling homeowners avoid foreclosure, investing in new community health facilities, and the list does go on and on and on. My constituents can see where and how every dollar is being spent in my district by visiting my Web site.

One of the most important results of the Recovery Act is that it helps school districts minimize budget cuts. However, as the economy declines, school districts are now considering shorter school years, larger class sizes, and looking to lay off teachers. We cannot let this happen. So our path towards economic recovery must continue to invest in our Nation's workforce to spur additional job creation, innovation and long-term economic growth. And by supporting the rule and the underlying bill, we will do just that.

I have heard from small business owners who are eager to be connected to business counseling and resources, to learn more about financing opportunities, SBA loan products, and government contracting opportunities. There is a great demand for immediate and real assistance for our small businesses to get back on their feet and for workers to get back into the labor market. Over the last few months, I have held two small business workshops to help existing small business owners understand the recovery legislation, obtain financing, and find new opportunities

for government programs. And I have seen firsthand how eager people are to start working again or get retrained in new fields and to take an active part in our country's economic recovery.

The proposal before us today offers a key strategic tax incentive for employers to hire new workers. The proposal would exempt employers from paying Social Security taxes through the end of this year for hiring new workers who have been out of work for at least 60 days. If the newly hired workers remain on the payroll for at least a year, the bill provides an additional \$1,000 income tax credit to employers. This new hiring tax credit could spur as many as 250,000 jobs, according to leading economists. To help small businesses, the proposal offers an immediate writeoff, up to \$250,000 for equipment purchased this year. To invest in additional transportation infrastructure, the proposal extends the Highway Trust Fund, otherwise known as SAFETEA-LU, for 15 months to pay for transportation projects ready to break ground.

Using the rule of thumb in highway contracting where every \$1 billion in transportation spending creates about 35,000 jobs, this \$77 billion investment means that more than 2 million jobs will be retained or created, including high-quality jobs in the construction and building trades.

□ 1200

Finally, the bill expands the Build America Bonds Program to allow investors to claim Federal subsidies up to 45 percent of the borrowing cost for bonds issued for public works projects.

There is no doubt that this package will incentivize and spur much-needed job creation and economic growth in our neighborhoods and communities. And to my colleagues, concerned, as I am, that this bill does not go far enough to create jobs, I want to be clear that this is the first in a series of steps we will be taking to continue to get the economy back on track.

Together with the continued economic assistance of the Recovery Act, we are laying the groundwork for continued job creation and future economic growth to lead us to our prosperity.

It is my hope that this Congress continues to find new ways to get Americans back to work, stabilize our economy, and help rebuild our middle class. This is not the end of our work, but it is a critical step forward for the American people. I, therefore, urge my colleagues to support this rule and the underlying legislation.

I reserve the balance of my time.

Mr. SESSIONS. I thank the gentlewoman for yielding the time.

Madam Speaker, the Republicans in this body are in a quandary again today because of the way this bill was brought to the floor, and I would like to yield 3 minutes to the gentleman from Houston, Texas (Mr. CULBERSON) to ask some questions.

Mr. CULBERSON. I would like to, if I could, ask Ms. MATSUI, how long has

the public had to read this bill? It is my understanding that this bill was posted on the Internet about 2½ hours ago. There was no committee hearing, and this contains approximately \$15 billion in tax increases. I am committed to transparency. The Speaker says she is committed to transparency. Yet isn't it true that this bill has only been on the Internet, available for the public to read, for about 2½ hours, and there was no committee hearing on this legislation; is that correct?

Ms. MATSUI. I would like to say this job creation package has been discussed in the headlines and the Halls of Congress for weeks now. In addition, the pay-fors that are proposed here have been debated numerous times in the House previously. There are no surprises here.

Mr. CULBERSON. I understand, and that is typically the rhetoric that we hear from the leadership is that this concept has been discussed, this idea has been discussed. But my question is: Has this specific piece of legislation had a full committee hearing, number one? And how long has this specific piece of legislation, this \$15 billion tax increase, how long has this \$15 billion tax increase been available for the public to read on the Internet? Isn't it true it has only been posted for about 2½ hours? It was posted at 9:30; is that correct, Ms. MATSUI?

I yield to the gentlewoman from California.

Ms. MATSUI. Madam Speaker, I just want to say that I just received this amendment as well this morning. It is fairly short, 15 pages, double-spaced. I read it, and it took less than 10 minutes for me to see that the amendment was fully paid for.

Mr. CULBERSON. Just confirming for the record, Madam Speaker, that once again this liberal leadership of the Congress is shutting out the American public, utterly untransparent, denying the American taxpayers the ability to read and see the legislation before the Congress. This \$15 billion tax increase, Madam Speaker, has only been available for the American people to read for about 2½ hours. No committee hearing, no transparency, consistent with the cap-and-tax legislation, a 300-page amendment in the lobby, consistent with every major piece of legislation, the "spendulus" package, all of the other massive tax and spending increases that this liberal leadership and this new liberal President have pushed through Congress. You have shut out the American people. You have shut out the ability of we who represent them to debate the legislation, to offer amendments.

It is an affront to this great institution, the greatest democracy in the history of the world. You are denying the public a chance to participate. That's why you see the Tea Party rallies all over America. This is why there will be a tsunami this November to sweep out this liberal leadership, this tax-and-spend majority in Congress,

which is using up the good will that this President had when he came in as a new President. And I am just very disappointed, frankly, that this Congress, this Speaker, has not allowed the public to read important legislation.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair reminds Members to direct their comments to the Chair.

Ms. MATSUI. Madam Speaker, I yield such time as he may consume to the gentleman from Minnesota (Mr. OBERSTAR).

Mr. OBERSTAR. Madam Speaker, I was so troubled by the remarks of the gentleman from Texas, for whom I have great respect. I think he was making more of a political argument than a substantive discussion of the matter at hand.

In December, the House passed the Jobs for Main Street bill. It included the piece that is before us today. That measure went over to the Senate. It was held up in its entirety, and in the specific that we are dealing with today, by a hold, a series of holds, and then a filibuster by the Senator from Kentucky. Eventually, the Senate overcame that filibuster. This measure, this \$15 billion, has been before the Congress for 2½ months. It is no surprise to anyone.

The measure before us does what Republican leadership did with our support on this side on SAFETEA-LU in 2004 and 2005; 12 extensions of current law, 12 extensions, in order to muster the support we needed, in order to buy the time necessary to pass the 5-year surface transportation bill.

This measure before us provides \$77 billion for a 15-month extension of current law. It restores the \$8.7 billion rescission that was required in SAFETEA-LU, at the insistence of the Bush administration, which required, for the President's signature, a rescission at the end of the 5-year period, and that occurred September of 2009. That meant that programs were underfunded, that is, underfunded below the authorization level of SAFETEA-LU, for the past several months. The bill restores that funding level.

I will yield to the gentleman in just a moment.

So what we are doing here is restoring stability to the highway, bridge, SAFETEA, and transit program, providing certainty for States so they can advertise for bids, award bids, and keep contracts going. The filibuster of the Senator from Kentucky resulted in numerous bid lettings being cancelled and others being withheld, jobs lost, a great disruption to the program because there were not Federal Highway Administration personnel on the job to be able to make the overnight electronic transfers to the States for their vouchers. This bill restores stability to the program.

Mr. CULBERSON. Would the gentleman yield?

Mr. OBERSTAR. I am happy to yield to the gentleman.

Mr. CULBERSON. Thank you, Mr. Chairman.

My concern, if I could focus on the transparency of the process, these wonderful new technology tools, Mr. Chairman, and I know you are committed to transparency. You have run your committee that way. The concern we all have on behalf of the American taxpayers is that the bill has only been available for about 2½ hours.

I have called for legislation, and I think you are a coauthor of requiring bills to be laid out for 72 hours. And I understand the urgency of some of the provisions in here, but this is a \$15 billion tax increase, Mr. Chairman, and my concern is that it was not posted on the Internet for the public to read but 2½ hours ago.

Mr. OBERSTAR. Madam Speaker, I would just point out to the distinguished gentleman from Texas, there isn't a single new provision in this bill that hasn't been available since last December.

Ms. MATSUI. Reclaiming my time, Madam Speaker, I want to say that the motion to concur with the amendment that is made in order under this rule is a very simple one that will bring the bill into compliance with statutory pay-as-you-go rules. It changes very little, as Mr. OBERSTAR says, with the underlying bill which was intended to create jobs and spur hiring by America's small businesses. Delaying this package of job-creation measures today would delay our ability to get Americans back to work. Time is not on our side, which is why we have to act quickly here today.

I reserve the balance of my time.

Mr. SESSIONS. Madam Speaker, I do appreciate the gentleman—and I am extending my words to him at this time. I do appreciate the gentleman, Mr. OBERSTAR, for being available to come down to the floor, but that is not the process. The process is the gentleman should have been upstairs at the Rules Committee. There was not one person available on behalf of the majority to come up to the Rules Committee to explain the bill. An explanation of, "Well, none of this is new," is an inadequate explanation to the American people and to this body, and the Speaker should be embarrassed. This is not open. This is not, I believe, ethical, because the decisions were made and there was no discussion.

I believe we are calling into question, Republicans are calling into question today about how this House is being run. And I do appreciate the gentleman from Minnesota (Mr. OBERSTAR), and, in fact, I admire him a lot. Despite its being only perhaps 15 or 18 pages, that is an inadequate explanation. This House should not stand for it. The Members of this body should say we will not tolerate this. And I am deeply disappointed once again.

Madam Speaker, I yield such time he may consume to the ranking member, the gentleman from San Dimas, California.

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. I thank the gentleman from Dallas, a very hardworking member of the Rules Committee, for yielding me this time.

Yesterday, Madam Speaker, I stood here in the well and began talking about a date that may only be in my head, but I have been talking about it. The date was June 24, and my friend from Dallas, of course, remembers it. It was 3 a.m. on June 24, and we were sitting upstairs in the Rules Committee considering the so-called cap-and-trade bill, and as the motion was being offered by my friend from Worcester, Mr. MCGOVERN, to move the special rule to the floor for consideration, as that motion was being offered, I had a nice, warm, hot-off-the-press, 300-page amendment dropped in my lap, as did Mr. SESSIONS, Mr. DIAZ-BALART, and Ms. FOXX. Within a matter of hours, we considered that measure. And it was a very important time, Madam Speaker, because that is when the American people got it. They began this chant, "Read the bill. Read the bill."

The next day, we will all recall, that when the customary 1 minute was yielded to the distinguished minority leader, the gentleman from Ohio (Mr. BOEHNER), he spent 1 hour going through the 300 pages in that amendment that Members of this House had not yet read and had only had before them for a matter of a few hours.

I talked about that just yesterday when we were, for the second time in as many weeks, proceeding under martial law rule, and I was arguing that takes place at the end of a Congress when we are dealing with very, very pressing situations, not in the third month of the second session of the 111th Congress, which is where we are today.

Madam Speaker, once again we have it again, and I know that my friends from Texas, Mr. CULBERSON and Mr. SESSIONS, have both referred to the fact that we met this morning for a grand total of 2 minutes in the Rules Committee, and this measure is now before us.

The American people are hurting. They want us to focus on job growth and economic growth. They know full well that it is absolutely imperative that we create good, long-term private sector jobs. We know how important that is. But we also have a responsibility to do what James Madison envisaged this institution as being, and that is a great deliberative body. We have the responsibility to deliberate on these matters.

Now, I understand the urgency. I understand the urgency, but when you look at the legislative schedule we have had over the past several weeks, and some of our colleagues have gone through them, I can't name them all, but post offices and recognition of items, we have not extended the time and energy and effort that we clearly could here in this institution doing it.

□ 1215

Now, I know that Mr. OBERSTAR was speaking earlier, and others have spoken. It's not a question of our not trusting the process we're under right now, but I'm reminded so vividly of the famous exchange that took place between Ronald Reagan and Mikhail Gorbachev. "Doveriyai, no proveryai" was what the Russian used to say: "Trust, but verify."

Madam Speaker, I think that that's all we're saying. We have a responsibility—not to Republicans, not to Democrats, but to all of the American people—to hold accountable this institution, which saw this majority come to power based on a document, a document that was entitled "A New Direction for America." In that document, Speaker PELOSI pointed to the fact that legislation would be considered under an open amendment process whenever possible. It talked about minority rights, the kinds of things that James Madison regularly focused on when he talked about the rights of the minority.

And what is it that's happened, Madam Speaker? Unfortunately, we are now, as I said, in the third month of the second session of the 111th Congress, and guess what? We've gone through the entire first session of Congress for the first time in the history of the Republic and not had a single piece of legislation considered under an open amendment process, not a single piece of legislation considered under an open amendment process, and now we're in the third month of this second session, nothing considered under an open amendment process.

Then we have, as we deal with the very important pressing jobs issue, we have legislation that is brought here under martial law rule, considered for a grand total of 2 minutes in the House Rules Committee just 3 hours ago, and now we're here on the floor dealing with it.

Madam Speaker, we can do better. I urge my colleagues to join with Mr. SESSIONS in opposition to this rule so that we can come back with a work product that will do the kinds of things that will get real jobs created out there.

I know that in this measure there is a provision that provides a tax incentive for people to hire new employees. Well, that sounds great, but the heads of one of the top companies in this country had this proposal offered to him by the former Treasury Secretary, one of the top economic advisers to President Obama, Larry Summers, and his response was, Don't offer me a tax credit to hire someone. What we need to do is increase the demand for our product. Those are the kinds of things that we should be doing.

So, Madam Speaker, again I say, as I regularly do from this well, when it comes to job creation and economic growth, what we should be doing is pursuing the bipartisan John F. Kennedy/Ronald Reagan vision: marginal rate

reduction and a reduction of the top rate on capital gains. Job creators deserve the kind of relief that is necessary since Japan is the only nation in the world with a higher tax on those job creators than ours.

We know what it takes; we know what it takes. It worked under a Democratic administration, and it's worked under a Republican administration. So let's defeat this rule and go back and come up with a bill that will, in fact, create exactly what I said at the outset: good, long-term private sector jobs.

Ms. MATSUI. Madam Speaker, before I yield to my next speaker, I just want to point out my colleagues on the other side of the aisle are quite concerned that we are using same-day authority before the end of a session. In the 109th Congress, when the Republicans were in the majority, the Rules Committee reported two same-day rules in March and early April. These were hardly end-of-the-session times, Madam Speaker, and they had nothing to do with reviving our economy. These particular same-day rules were about the Federal Government interfering in a case of Terri Schiavo. Now, without reopening that divisive debate, I just want to say that the issues we are dealing with today under this same-day rule are important to the lives of millions of Americans.

With that, I would like to yield 3 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. I thank the gentlelady.

I oppose neither the rule nor the transportation funding in this bill, but I do oppose the so-called "jobs" tax credit. I only have one big problem with it, that it does so little to create jobs while adding to our very big debt.

In deciding whether to waste more resources on such legislation that will not accomplish its purpose, I think it's important that we look at one of the last jobs bills that this Congress considered. We were told that the only way to extend unemployment benefits to families in need through Christmas was to simultaneously approve a measure that sent \$33 billion to corporations with no requirement that they use their cash windfall to create or preserve jobs.

The so-called "loss carry-back" provision simply directed the Treasury to begin writing checks, \$33 billion in checks this year, to corporations. One corporation, a bankrupt financial services company, Washington Mutual, got \$2.6 billion in checks this year from the Treasury. That just happens to be a little more than all of the unemployed people in America combined got from this piece of legislation. So I think we need to take a close look at every piece of legislation to see whether it really creates jobs as this one did not.

Today, we have another tax break that is weak on policy, strong on politics. It's a retread proposal that this Congress rejected last year, and it

doesn't smell any better this year. Indeed, one former Treasury Department economist has described "a general consensus among tax experts that the credit is a [real] stinker" because it simply encourages conduct that would occur anyway.

Amazingly, one current top leader at the Treasury Department has said, Don't worry, it may be 10 percent effective in creating new jobs. I don't think that passes the sniff test. Surely there are better ways to promote job growth than a proposal whose own advocates say it may be 90 percent ineffective.

And being ineffective does not mean that it is harmless since it disadvantages some businesses in the marketplace versus their competitors. Those small businesses in Central Texas who have hung on to their employees, even though it hurt, even though it was painful to do so, get absolutely no benefit from this job tax credit, although they certainly could use it, but a company that dismissed its employees last year or a new competitor that moves into town down the street will gain a benefit.

As the Congressional Budget Office has noted, this jobs credit would provide no incentive to maintain employment in struggling firms and provides less incentive to maintain employment overall in industries and regions that are hurting the most. While it may deliver a few temporary minimum-wage jobs at considerable expense to the United States Treasury, this credit won't deliver help where it is needed most, and to whom or with whom it is needed the most. It is off-target and off-budget. I think it has the same problem as a bill that gave more money to one bankrupt corporation than to all the unemployed people in our country.

It's great that the United States Senate could finally find bipartisan agreement on something, but this bill, this job tax credit, is not just bipartisan from the Senate, it's bi-wrong.

Mr. SESSIONS. Madam Speaker, the gentleman said it best about this bill: Nobody even really knows what's in it. There was no general discussion. There was no one made available to come to the Rules Committee to answer questions. There were no committee hearings on this. This isn't the way to run this House, and it's not just Republicans that are down saying this. It's Members of the majority party also. It is this kind of unthoughtful and unprofessional conduct that is being put off on this body to where Members don't even know what's in the bill, have not had the time. And once again, Republicans are down saying it's not open, it's not honest, and certainly not ethical.

I would like to yield 3 minutes at this time to the favorite son of Winterpark, Florida (Mr. MICA).

Mr. MICA. I thank you for yielding and for the opportunity to stand up and talk on the rule here that is before us that would allow the so-called "jobs" bill to move forward.

I've had to think long and hard about my position on this because I do favor every opportunity to increase jobs. I have one county with nearly 18 percent unemployment. Florida is in the top 10 States with unemployment with 11.8 percent, and I understand we're going to get some even grimmer news tomorrow on the job front nationally.

I have to oppose the rule, and reluctantly I'm going to oppose the bill. Many people, because I'm the Republican leader of the Transportation Committee, have asked me how I'm going to vote on the final bill and final passage, and it's a reluctant "no." And let me tell you why.

The substance of my opposition really lies in what the Rules Committee did. If we ever needed a time to amend, we should have had an opportunity to amend this. And we have time to send it back to the Senate.

The previous speaker, a Democrat from the other side of the aisle—I believe the gentleman from Texas—stated his opposition to a tax provision, but let me tell folks that are listening, Madam Speaker, and the Members that may be concerned about this. When the Senate passed the transportation provision, four States take 58 percent of the new money in this in transportation projects of national significance. Those States, I believe, are California, Illinois, the State of Washington and Louisiana. Twenty-two States get zero, the big goose egg, including my State, the State of Florida. Now, this isn't a parochial issue just for Florida, but 46 States are in fact disadvantaged by the way the Senate passed the bill in giving an advantage to four States. So it's unfair.

Now, Mr. OBERSTAR, my Democrat counterpart, the Chair, he has a letter of intention from the Speaker, and also from Mr. REID, to correct this after we pass this. But to do this in a proper legislative fashion to actually create jobs, we should be fair to everyone and distribute this equitably among all States.

Also missing from this is a 6-year bill, which we really need. This only extends transportation authorization through December 31 of this year, which will leave many States behind.

So this bill leaves many jobs behind. It leaves fairness behind. And, again, it doesn't do the job that it should do in creating jobs that we so badly need in this Nation.

So I will reluctantly oppose the so-called "jobs" bill on the basis that I stated. It's my hope that we can correct this measure. I will do everything I can, working in a bipartisan fashion, to correct it so that we have fairness for all 50 States in the distribution of the funds that they sent to Washington.

Ms. MATSUI. Madam Speaker, I just want to say, while this bill distributes some highway funds in a way that disproportionately benefits a handful of States, it's important to remind my colleagues that these concerns will be addressed in subsequent legislation.

With that, I would like to yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

(Ms. JACKSON LEE asked and was given permission to revise and extend her remarks.)

Ms. JACKSON LEE of Texas. I thank the distinguished gentlelady from California, and I rise to thank the Rules Committee. This is a tough business. They had to do their work in the backdrop of Senator BUNNING, who didn't care about the unemployed, thousands upon thousands and millions, and held up this bill and the negotiations for this bill for as long as he thought it was relevant. And so here we stand trying to address this question.

I would offer to say, there are some good things: the fact that employers have a \$1,000 income tax credit for every new employee that continues to work for 52 weeks; the fact that there is an incentive to hire new employees and to keep them hired; the fact that there is an extension of the small business expensing to allow small businesses, the backbone of America, to be able to write off certain capital expenditures so they can hire new people.

The SAFETEA-LU, the infrastructure bill, is a good thing that deals with the rebuilding of the infrastructure that is so important and, of course, protecting minority-owned business that likewise go into those hard-hit communities and should be hiring people.

□ 1230

Yet we are dealing with a Senate bill. The other body has a different understanding so that some States, for example, are not getting the money that they should—Texas. It raises a lot of concern.

Then I have to rise on this floor to talk about young people and the summer youth program. Why isn't that in the bill? The chronically unemployed whom I see walking the streets of my district over and over again, what are we going to provide for them?

It is key to recognize that there is obstruction in the other body that now pours over into this body. So we had to stymie the unemployment benefits, which all of us should have rallied around to support. My State alone rejected just a couple of months ago \$515 million for the unemployed. Where is the compassion there?

Where is the compassion for individuals who have served their time—who have their families, who are trying to do well in our faith houses, being worked with by faith organizations, and who persistently cannot find jobs?

There is a lot to be desired. The Rules Committee, however, worked with what they had to work with.

My message is that we have to go back to the drawing board, not for what my colleagues are talking about—more tax cuts, more tax cuts, more tax cuts—but to help the people who are walking the streets of America who ask us, Can you put jobs in our

hands? They are qualified, and there is nothing in this bill that would suggest that you are putting jobs in their hands.

Let me say this: The infrastructure work is important. If this is going to generate jobs in their hands, then it is important for us to hear that jobs in the hands are going to get to the folk who are walking the streets in the Fifth Ward, in the Fourth Ward, in Acres Homes, and in places around America. Those places are in the 18th Congressional District.

I am fighting for jobs, and I want to make sure that we have the right kind of vehicle for this job language to go forward on. Let's not forget the chronically unemployed.

Mr. SESSIONS. Madam Speaker, there is an answer to the gentlewoman from Texas, which is to vote against this rule. Vote against this rule. Then become a part of the process for the things which you would hope, would expect, and would want to be in the bill so at least your feedback can be accepted.

We've been told now that the Senate is the problem, but the problem is this House, Madam Speaker. The problem is the way we are doing things. The gentleman Mr. OBERSTAR said, Yes, we've been waiting for months to get this from the Senate. We took 2½ minutes upstairs this morning—not one hearing, not one person who represented the Democratic Party who would explain what is in this bill. Now we are down on the floor, trying to figure out what is in the bill, getting it just hours ago. This is a flawed process.

Madam Speaker, hearkening back to February 5, 2009, over a year ago, in the CQ article, "Regular Order" Will Prevail in House After Stimulus Is Complete, Pelosi says, the article reads, "Speaking at House Democrats' annual policy conference, Pelosi said in her opening speech, 'Of course we will go forward under regular order. We now have a large majority and a President who will sign legislation.'"

It's not happening. It's not happening again today. It did not happen even after February 5, 2009. We should be embarrassed, but as the old saying goes, beatings will continue until morale improves.

Madam Speaker, I yield 5 minutes to the distinguished gentleman from Bainbridge Township, Ohio (Mr. LATOURETTE).

PARLIAMENTARY INQUIRY

Mr. LATOURETTE. Madam Speaker, before I begin my 5 minutes, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. LATOURETTE. I didn't want to interrupt the distinguished gentlewoman from Texas, but is it proper in debate to utter words that Senator BUNNING does not care about the unemployed? Is that an appropriate observation?

The SPEAKER pro tempore. The Chair cannot answer hypothetical

questions posed as parliamentary inquiries.

Mr. LATOURETTE. Well, excuse me. It is not a hypothetical. The gentleman said it, so it is not a hypothetical. She said it 2 minutes ago.

Are you saying that I am asking you a hypothetical?

The SPEAKER pro tempore. The Chair is constrained not to give advisory opinions.

The gentleman is recognized for 5 minutes.

Mr. LATOURETTE. Madam Speaker, I think regular order has prevailed in the House. The regular order is that we don't follow the rules and that we issue gag rules. This is another gag rule. It is a closed rule, and we are going to talk about, not only the bad underlying bill, but the bad rule. This isn't a jobs bill.

I have great admiration for the gentlewoman from California, the manager on the majority side of this rule, but my admiration has grown today because she has been able during this debate to call this a "jobs bill" with a straight face. She has not giggled once. But she should have. This isn't a jobs bill. This is a no jobs bill. This is a faux jobs bill. This is a snow jobs bill.

Mr. DOGGETT, with whom I rarely agree, I think was right on the money. The centerpiece of this bill is \$13 billion for a tax credit—\$13 billion out of \$15 billion. The way this thing works is, if you're a small business person in this country, struggling, and if you hire somebody at \$30,000 a year, do you know what? You don't have to pay the payroll taxes, 6.2 percent payroll taxes, which is about \$1,500.

I had three chambers back in Ohio—chambers of commerce, small business people, Republicans, Democrats, Independents. I said, You know what? Here's the deal. How many of you are going to hire anybody? Nobody. Nobody raised their hands. This is not going to create one job, and it's the centerpiece of the bill.

So, Madam Speaker, I will be asking Members to defeat the previous question so I may amend the rule. If the previous question is defeated, I would propose to amend the rule to make in order an amendment to modify the proposed further House amendment, which would eliminate the \$13 billion in this stupid tax provision and would transfer it to infrastructure spending and, further, that that infrastructure spending be distributed pursuant to the House-passed formula and not the Senate-passed formula.

I want to get now to the underlying policy on the infrastructure side. I spent 14 years on the infrastructure committee—love the infrastructure committee, love Chairman OBERSTAR—but I can't figure out why people would vote for this thing based on the infrastructure spending. I understand, if you're from California, you might like this bill because, under this bill, California gets \$277 million and, under the House bill, only \$85 million. Illinois, the President's home State, I under-

stand why he might like it—\$151 million under this bill and \$15 million under the House bill. Oregon, I don't know why a person from Oregon would vote for this bill: \$40 million under this bill and \$11 million under the—well, actually, you should vote for this bill, people from Oregon. You'll do better.

Texas. Really, I saw Ms. JACKSON LEE, who apparently can say that Senator BUNNING doesn't care about unemployed people in this country. I don't know why anybody from Texas would vote for this bill, Mr. SESSIONS. Under this bill, you will get \$1 million and change. Under Mr. OBERSTAR's proposal, Texas would have gotten \$78 million.

Now, why is that fair? Why is that fair that 22 States get zero? Why is it fair that you have winners and losers? Why is it fair that California gets 30 percent of the money under this bill? Well, it's not, and you know it's not.

Finally, to the process. You know, I was tipping my hat to the Democratic majority a little earlier today because the original plan was just to bring the Senate amendment to the House bill over here, which of course, would have cut off the minority's ability to offer an amendment and a motion to recommit—but no, they didn't do that. I thought that was pretty crafty. What they did do is amend it with these 15 pages that were available 3 hours ago for our consideration. I'll give the gentlewoman from California the nod that, yes, these ideas have been talked about for a long time. Nobody had seen the 15 pages before 9:30 this morning. So they amended it. They had a Rules Committee hearing. What did they not permit under this rule? A motion to recommit.

I can't believe it. You should be ashamed. Excuse me, Madam Speaker. They should be ashamed. This is a fraud. This is an anti-democratic rule.

What are you afraid of? You have 256 votes. Let us offer my motion to recommit that transfers this stupid \$13 billion to infrastructure spending that will put people to work in a sector of the economy that has 30 percent unemployment. It will distribute it according to the House proposal, not the Senate proposal so that California, Oregon, and Illinois don't walk out of this place with 58 percent of the money. It's not fair.

Ms. MATSUI. Madam Speaker, I want to say this again, that I believe it's important to note that the chairman of the authorizing committee has reached an agreement with the House and Senate leadership on the contentious highway funding issue that was included in the other Chamber's jobs package.

I yield 4 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Thank you. I appreciate the gentlewoman's courtesy.

Madam Speaker, I appreciate the opportunity to follow my dear friend from Ohio with whom I look forward to the day when we can come to this floor

and we can deal with a broad-based approach to renew and to rebuild America. That is how we are really going to create jobs.

I commend the gentleman from Ohio for having the courage to stand up to his leadership when they tried to pull the plug on extending the Highway Transportation bill. I think it's interesting that he has a proposal that he would like to transfer some of this money into infrastructure. Would that we were playing with two Chambers that were playing by the same rules and were committed to the well-being of America, I'd be happy to see that happen.

One of the reasons we have the bill before us today in the forum is that we have seen what has happened when one member of the Senate decides that his personal pique is more important than millions of people, their welfare, causing thousands of people to be laid off, stopping critical money going to the State. It's an example of how the non-democratic operation on the other side of the Chamber puts us at this point.

If we monkey with this, there is no guarantee that we will, in fact, have an extension of the part of this bill that is the great jobs generator—and that's the extension of the Surface Transportation Act—through the end of this calendar year and stop this stupid game of Russian roulette, that sadly, my friends on the other side of the aisle have decided they are going to play games with.

As my friend from Minnesota pointed out, the distinguished Chair of the Transportation and Infrastructure Committee, we never, when we were in the minority, played games with the critical infrastructure needs. When they were stumbling around when they were in control and required not one, not two, not three, but 12 extensions, we never made it partisan. We always helped them. We didn't play parliamentary games.

Yet the combination of parliamentary games from my dear friends on the Republican side of the aisle and the meltdown of responsibility in the Senate has left us with this. This is the vehicle. I am not contending that the best the Senate can do in terms of job creation is going to be a panacea. I think it's relatively minor, and I'm not impressed, but it is a small price to pay to guarantee the \$77 billion to make sure that America's transportation system continues while we try and get people here to act like grownups. With all due respect, to somehow seize on less than \$1 billion out of \$77 billion and claim that only four States benefit is not true. It's not true.

I mean, first and foremost, what we have had is the chairman, who happens to agree that he wants that formula changed. He is committed. The Senate is committed. We're going to work with the administration and refine that. But even if you put aside the \$800 million, we have \$77 billion that we are relying on, and I think that ought not to obscure.

It's kind of ironic that our friend from California got up and talked about doing what—

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. MATSUI. I yield the gentleman an additional minute.

Mr. BLUMENAUER. It's kind of ironic that our friend from California got up and talked about why we don't do what Ronald Reagan and President Kennedy would have done. We've done that. We've cut taxes. We cut taxes several times before that. In fact, his facts are completely wrong when he says that American taxes on companies that create jobs are the second-highest in the world except for Japan. That is the effective tax rate. That's what's on the books. That's not what they pay. When we get through all of the gimmicks, and loopholes, and exemptions, those tax rates for American businesses are actually the second-lowest in the world. Effective tax rates and what people actually pay, that's not the problem.

The problem is we need to get the economy unfrozen. We need to have people stop playing political games. We need to invest in infrastructure to rebuild and to renew America, and we need to do so in a way that doesn't have us talking past one another and playing games with jobs across America that are at risk if we don't pass this Bill.

□ 1245

Mr. SESSIONS. Madam Speaker, you know, we have heard all this before, and it is not working. The bottom line is what this Democratic leadership and this Democratic President are proposing is not working, and that is why we are back at the well, so to speak, again.

Over and over and over again we have a bunch of people that want to claim, "Oh, we know how to get this done. Look at what President Clinton did." That was a Republican House of Representatives. Those were free market ideas. That was encouraging this country to be competitive. That was doing things that would encourage America and American business to go hire people.

The three largest political items of Speaker PELOSI and President Barack Obama have lost this country 10 million net jobs. No wonder American business is not hiring people. They are getting things jammed down their throat.

The President of the United States when he was a candidate talked about all the great things that could be accomplished, and since the President has been in the White House, he has done nothing but call people names, pick on them, belittle them, bully them, and then turns around and wonders why we have no jobs, why his agenda is not working. It is obvious why it is not working, because it is not made to work. It is made to bully the free enterprise system.

I reserve the balance of my time.

Ms. MATSUI. Madam Speaker, I would like to inquire of the gentleman from Texas if he has any remaining speakers.

Mr. SESSIONS. I thank the gentleman for asking. I appear to have one additional speaker plus myself.

Ms. MATSUI. I reserve my time.

Mr. SESSIONS. Madam Speaker, if I could inquire of the time that remains on both sides, please.

The SPEAKER pro tempore. The gentleman from Texas controls 6½ minutes; the gentleman from California controls 5 minutes.

Mr. SESSIONS. Madam Speaker. I yield myself such time as I may consume.

Madam Speaker, I want to reiterate that this House of Representatives is made up of 435 Members who take time every week to come here to Washington. Perhaps they live here, but they still come to work, I believe, with a sense of obligation and duty, all 435 of us, to be fully participatory and to be a part of a moving body and a process that should work for the American people.

We are now in our fourth year of leadership that denies the American people and the Members of this body an opportunity, I believe, to even participate; not just fully participate, but to participate.

This bill that is on the floor again today is an example of a process that is very deceptive, because our friends, the Speaker and the Democratic leadership, talk about being open and honest, and yet the bill is here today with just hours' notice, with no one up in the Rules Committee on behalf of the Democrat leadership even explaining what is in the bill. I believe, again, the American people will reject this kind of leadership when the American people want to be engaged and Members of Congress want to be engaged.

So, today, Republicans are going to ask that we reject this, and we should reject this, because we know that Republicans have better ideas.

At this time I yield to the gentleman from Ohio, the Republican leader (Mr. BOEHNER).

Mr. BOEHNER. Madam Speaker, I want to thank my colleague for yielding and suggest to my colleagues that here we go again. We are bringing this bill to the floor, a bill that no one has read.

The bill was filed at 9:35 a.m., and here we are at 12:50 p.m. We are operating under what is normally called a martial law rule, passed yesterday, that allows the majority to bring any bill to the floor at any time this week. So there was this hastily called Rules Committee meeting after this bill was filed. Now it is here on the floor.

Members haven't had time to read this bill. In addition to that, there is no score on this bill from the Joint Tax Committee on the so-called pay-fors on this bill and what impact they will have on taxes. I just think it is out-

rageous and another example of how the majority continues to ram through partisan legislation here on the floor of the House without the transparency and accountability that the American people deserve and expect.

If this is a dress rehearsal for how we are going to handle the so-called health care bill, I think the majority had better be ready to endure the wrath of the American people.

Mr. SESSIONS. Madam Speaker, I believe that our Republican leader, JOHN BOEHNER, has said it very clearly, and that is that the way we are operating is not in the best interests of this House, the institution, or the Members.

We have heard lots of colleagues on the other side cut down and argue about this isn't even a job bill because it is not even going to create jobs and how inefficient it is. But until this Democratic leadership agrees that they want to be open, that they want to be honest about what is in the bill, and that they want to be ethical about how decisions are made, Republicans are going to keep coming down to this floor.

Many times I have argued openly in front of our Rules Committee chairman, LOUISE SLAUGHTER, and said, Please know that the Republican Party wants to be better at our job, not as loyal opposition, but as an alternative party, and you do not even allow us an opportunity to know what is in the bills.

It is ridiculous. We find ourselves in the role of asking questions, making statements, and doing things that, to the American people, look awkward and, quite honestly, unprofessional.

I lay at the feet of the Speaker of the House and the Democratic leadership and my great Rules Committee chairman, LOUISE SLAUGHTER, once again a request: If you want this body to have a chance to not look unprofessional and perhaps stupid, like we don't know what we are doing, and to gain back some trust of the American people, you have got to open up the process to where we as Members of Congress are able to come down with an educated opportunity to understand what is in the bill, to engage our colleagues on a professional basis, and to be able to thoughtfully talk about the content of the bill.

This is an embarrassment. It is an embarrassment that after we heard a year ago that we will start going through regular order now, we are still not doing that, that Members of Congress cannot even see the bill hours before they read it, nor do we know the content because nobody came to explain it.

It is wholly inadequate to people who are back home, Madam Speaker, to expect their Member of Congress, who comes up here 40 weeks a year to represent people, to be told we don't even know what is in the bill.

I encourage a "no" vote. I encourage a "no" vote on this rule. I will say once again to my friends that are Democrats, if you want to read the bill, if

you want to open up the process, your vote is the one that will make it happen. Don't blame that on somebody else. I have said it over the years. If you want to read the bill, then vote "no" on the rule. If you are perfectly happy with the process that is happening, go ahead and support this rule. But don't go back home and tell people, well, you know, I really didn't have a chance. That is a bad thing. Their vote matters on this floor.

Madam Speaker, every single one of us is issued a voting card that should be controlled by the Member, not by somebody else. Today, the Republican Party is coming down once again on this floor and saying directly to the American people and the Speaker of the House of Representatives, We are not happy. The process is flawed. And we are going to hold accountable every Member that votes for this rule today, just like we are for the others.

So if you bring what we consider to be a less than stellar bill to the floor and the process is part of that participation and you shut it out, you can expect to hear the same from the Republican Party. We want to be a part of this process, the American people do, and I even heard today your own Members again.

I yield back the balance of my time.
Ms. MATSUI. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, calling up and passing rules using same-day authority is a legitimate legislative tool, with precedent. In the 109th Congress, when the Republicans had the majority, when they passed the fiscal year 2006 budget resolution, same-day authority was used to bring it before the House. During debate on that rule, the then chairman of the Rules Committee called it "a very fair rule." That was followed by Mr. DREIER's assertion that "Members have had a great deal of time over the past several weeks and months to focus on this issue. Let us continue what we have done throughout this great 109th Congress—get the work of the American people done."

Madam Speaker, getting the work of the American people done is exactly what we aim to do today by passing the jobs bill under an expedited procedure. Creating jobs must be our top priority, until we get our economy completely back on track and put more Americans back to work.

The legislation we are considering today had bipartisan support in the Senate, with 13 Senate Republicans voting for this much-needed jobs package. That bill was not even paid for. Well, the House version is and has full PAYGO language included.

The jobs package includes key provisions to spur job creation and investment in our workforce. It includes a new jobs payroll extension, offering employers exemption from paying Social Security payroll taxes for hiring new workers who were previously unemployed. This specific provision is estimated to create an additional 250,000

jobs alone. The bill also provides relief to small businesses by allowing them to write off more of the costs of their 2010 expenditures.

The package extends the Highway Trust Fund for 15 months for existing highway programs to allow for billions to be invested in infrastructure projects and make a real difference in communities across our country.

The bill also expands the Build America bonds to allow States and local governments to borrow at lower costs to finance infrastructure projects and put more Americans to work.

Together with the ongoing investment by the Recovery Act, this jobs package will further incentivize and spur job creation and economic growth in this country. This Congress must continue to invest wisely in proposals that will train our workers, create new, good-paying jobs, grow our economy, and rebuild the middle class.

Madam Speaker, we must lead by example and demonstrate our continued commitment to help our middle class families, our seniors, and the economy move forward. With that in mind, I urge a "yes" vote on the previous question and on the rule.

I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SESSIONS. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on:

Adoption of House Resolution 1137, if ordered; and

Suspending the rules and agreeing to House Resolution 362, if ordered.

The vote was taken by electronic device, and there were—yeas 236, nays 184, not voting 11, as follows:

[Roll No. 87]

YEAS—236

Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Butterfield

Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)

Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Garamendi
Giffords
Gonzalez

Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebuck
Lofgren, Zoe
Lowey
Luján

Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Oliver
Ortiz
Owens
Pallone
Pascarella
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez

Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schradner
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waxman
Weiner
Welch
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—184

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggart
Billray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite,
Ginny
Buchanan
Burgess
Burton (IN)
Calvert
Camp
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Childers
Coble
Coffman (CO)

Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Driehaus
Duncan
Ehlers
Emerson
Flake
Fleming
Forbes
Fortenberry
Foss
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hunter
Inglis
Issa
Jenkins
Johnson (IL)

Johnson, Sam
Jones
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCauley
McClintock
McCotter
McHenry
McKeon
McMorris
Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Mitchell
Moran (KS)
Murphy, Tim
Myrick
Neugebauer

Nunes
Olson
Paul
Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney

Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Taylor

Teague
Terry
Thompson (PA)
Thornberry
Tiberi
Turner
Upton
Walden
Wamp
Waters
Watson
Watt
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

Kagen
Kanjorski
Kennedy
Kildee
Kilroy
Kind
Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Levin
Lewis (GA)
Lipinski
Loebsock
Lofgren, Zoe
Lowey
Lujan
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan

Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Oliver
Ortiz
Owens
Pallone
Pascarelli
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer

Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Rush
Ryan (WI)
Scalise
Schmidt
Schock
Scott (VA)
Sensenbrenner
Sessions
Shadegg
Shimkus

Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Space
Stearns
Sullivan
Taylor
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi

Towns
Turner
Upton
Walden
Wamp
Waters
Watson
Watt
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—11

Buyer
Campbell
Dahlkemper
DeLauro

Eshoo
Fallin
Hoekstra
Jordan (OH)

Linder
Massa
Tiahrt

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining to vote.

□ 1324

Messrs. GRIFFITH, BURTON of Indiana, WITTMAN, Mrs. MILLER of Michigan and Mr. MINNICK changed their vote from “yea” to “nay.”

Mr. DOYLE changed his vote from “nay” to “yea.”

So the previous question was ordered.
The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. SESSIONS. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 212, noes 209, not voting 11, as follows:

[Roll No. 88]

AYES—212

Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler

Childers
Chu
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Davis (AL)
Davis (CA)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards (TX)
Ellison
Ellsworth
Engel
Etheridge
Farr
Fattah

Filner
Frank (MA)
Garamendi
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchee
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslée
Israel
Johnson (GA)

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Baird
Barrett (SC)
Bartlett
Barton (TX)
Biggart
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite,
Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Cantor
Cao
Jackson (IL)
Issa
Cao
Capito
Carter
Cassidy
Castle
Dastle
Chaffetz
Clarke
Clay
Cleaver
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Cummings
Davis (IL)
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.

NOES—209

Diaz-Balart, M.
Dreier
Driehaus
Duncan
Edwards (MD)
Ehlers
Emerson
Flake
Fleming
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Green, Al
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hunter
Inglis
Issa
Jackson (IL)
Issa
Jackson Lee
(TX)
Jenkins
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Kaptur
Kilpatrick (MI)
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kline (MN)
Kratovil
Lamborn
Lance
Latham
LaTourette

Latta
Lee (CA)
Lee (NY)
Lewis (CA)
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaull
McClintock
McCotter
McHenry
McKeon
McMorris
Rodgers
Meeks (NY)
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Mitchell
Moran (KS)
Murphy (NY)
Murphy, Tim
Myrick
Neugebauer
Nunes
Alexander
Olson
Paul
Paulsen
Payne
Pence
Perriello
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Quigley
Radanovich
Rehberg
Reichert
Richardson
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)

NOT VOTING—11

Buyer
Campbell
Dahlkemper
Eshoo

Fallin
Foster
Hoekstra
Jordan (OH)

Linder
Massa
Tiahrt

□ 1334

So the resolution was agreed to.
The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FOSTER. Madam Speaker, on rollcall No. 88 due to an inadvertent error, I was not recorded. I would have voted “no.”

SUPPORTING NATIONAL SCHOOL LUNCH PROGRAM

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 362, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Connecticut (Mr. COURTNEY) that the House suspend the rules and agree to the resolution, H. Res. 362, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. MATSUI. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 403, nays 13, not voting 15, as follows:

[Roll No. 89]

YEAS—403

Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggart
Bilbray
Bilirakis

Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Brown (SC)
Brown, Corrine
Brown-Waite,
Ginny
Buchanan
Burgess

Burton (IN)
Butterfield
Calvert
Camp
Cantor
Cao
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble

Coffman (CO) Issa
Cohen Jackson (IL)
Cole Jackson Lee
Conaway (TX)
Connolly (VA) Jenkins
Conyers Johnson (GA)
Cooper Johnson (IL)
Costa Johnson, E. B.
Costello Johnson, Sam
Courtney Jones
Crenshaw Kagen
Crowley Kanjorski
Cuellar Kaptur
Culberson Kennedy
Cummings Kildee
Davis (AL) Kilpatrick (MI)
Davis (CA) Kilroy
Davis (IL) Kind
Davis (KY) King (IA)
Davis (TN) King (NY)
Deal (GA) Kingston
DeFazio Kirk
DeGette Kirkpatrick (AZ)
Delahunt Kissell
DeLauro Klein (FL)
Dent Kline (MN)
Diaz-Balart, L. Kosmas
Diaz-Balart, M. Kratovil
Dicks Kucinich
Dingell Lance
Doggett Langevin
Donnelly (IN) Larsen (WA)
Doyle Larson (CT)
Dreier Latham
Driehaus LaTourette
Duncan Latta
Edwards (MD) Lee (CA)
Edwards (TX) Lee (NY)
Ehlers Levin
Ellison Lewis (CA)
Ellsworth Lewis (GA)
Emerson Lipinski
Engel LoBiondo
Etheridge Loebach
Farr Lofgren, Zoe
Fattah Lowey
Filner Lucas
Fleming Luetkemeyer
Forbes Lujan
Fortenberry Lungren, Daniel
Foster E.
Frank (MA) Lynch
Franks (AZ) Mack
Frelinghuysen Maffei
Fudge Maloney
Gallegly Manzullo
Garamendi Marchant
Gerlach Markey (CO)
Giffords Markey (MA)
Gingrey (GA) Marshall
Gonzalez Matheson
Goodlatte Matsui
Gordon (TN) McCarthy (CA)
Granger McCarthy (NY)
Graves McCaul
Grayson McCollum
Green, Al McCotter
Green, Gene McDermott
Griffith McGovern
Grijalva McHenry
Guthrie McIntyre
Hall (NY) McKeon
Hall (TX) McMahon
Halvorson McMorris
Hare Rodgers
Harman McNerney
Harper Meek (FL)
Hastings (FL) Meeks (NY)
Hastings (WA) Melancon
Heinrich Mica
Heller Michaud
Hensarling Miller (FL)
Herger Miller (MI)
Hersteth Sandlin Miller (NC)
Higgins Miller, Gary
Hill Miller, George
Himes Minnick
Hinchey Mitchell
Hinojosa Mollohan
Hirono Moore (KS)
Hodes Moore (WI)
Holden Moran (KS)
Holt Moran (VA)
Honda Murphy (CT)
Hoyer Murphy (NY)
Hunter Murphy, Patrick
Inglis Murphy, Tim
Inslee Myrick
Israel Nadler (NY)

Napolitano
Neal (MA)
Nunes
Nye
Oberstar
Obey
Olson
Oliver
Ortiz
Owens
Pallone
Pascarell
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schradner
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sessions
Sestak
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry

Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch

Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—13

Akin
Broun (GA)
Chaffetz
Flake
Fox
Garrett (NJ)
Lamborn
Lummis
McClintock
Paul
Poe (TX)
Sensenbrenner
Shadegg

NOT VOTING—15

Blumenauer
Buyer
Campbell
Dahlkemper
Eshoo
Fallin
Gohmert
Gutierrez
Hoekstra
Jordan (OH)
Linder
Massa
Neugebauer
Simpson
Tiahrt

□ 1344

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1345

PARLIAMENTARY INQUIRIES

Mr. CARTER. Madam Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. CARTER. Yesterday I asked a parliamentary inquiry regarding the effect of a letter from Mr. RANGEL to the Speaker of the House, NANCY PELOSI, regarding his resignation as chairman of the Committee on Ways and Means, to wit, the Speaker pro tempore of the House answered that the gentleman from California, Representative PETE STARK, became acting chair of the Committee on Ways and Means immediately by operation of House rule X clause 5.

This morning the acting chairman of the Committee on Ways and Means, Mr. STARK, submitted a letter to the Speaker of the House, NANCY PELOSI, that states, "I hereby resign as acting chairman of the Committee on Ways and Means." That letter to the Speaker was read into today's proceedings. At that time the Speaker pro tempore in accepting the letter stated, "The resignation is accepted."

I have a parliamentary inquiry regarding the nature of that resignation. Under this morning's procedure, is Mr. STARK the current chairman of the Committee on Ways and Means?

The SPEAKER pro tempore. The House this morning accepted the resignation of the gentleman from California (Mr. STARK) as acting chair of the Committee on Ways and Means. Pursuant to clause 5(c) of rule X, the member of that committee next in rank, the gentleman from Michigan (Mr. LEVIN) shall act as chair.

Mr. CARTER. Further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his further inquiry.

Mr. CARTER. Under House rules and House Resolution 24, is the gentleman from New York (Mr. RANGEL) still a member of the Committee on Ways and Means?

The SPEAKER pro tempore. Yes.

Mr. CARTER. Under House rules, what is the current rank order of the gentleman from New York (Mr. RANGEL) on the Committee on Ways and Means?

The SPEAKER pro tempore. The rank is determined by his placement in that resolution to which the gentleman just referred.

Mr. CARTER. Further parliamentary inquiry. What is his placement in that ranking that I just described?

The SPEAKER pro tempore. The gentleman may consult that resolution to discover the answer to that question.

Mr. CARTER. It is my understanding that Mr. RANGEL stands as number one by the nature of that resolution. Could I get a clarification on that by the Chair?

The SPEAKER pro tempore. The Chair does not have that resolution before her, but the House has accepted the resignation of the gentleman from New York as chair of the Committee on Ways and Means.

Mr. CARTER. Further parliamentary inquiry. Under House rule X, clause 5(c) which states, "In the absence of the member serving as chair, the member next in rank (and so on, as often as the case shall happen) shall act as chair," under House Resolution 24, the gentleman from Michigan (Mr. LEVIN) ranks next after Mr. STARK on the resolution electing members of the committee. Under that resolution and by operation of House rule X, clause 5(c), is Mr. LEVIN currently the acting chairman of the Committee on Ways and Means?

The SPEAKER pro tempore. The gentleman has stated the correct facts.

Mr. CARTER. Further parliamentary inquiry. Under House Resolution 8, Mr. RANGEL was elected chairman of the Committee on Ways and Means. Under House rule X, clause 5, the Chair has indicated that Mr. LEVIN is acting chairman of the Committee on Ways and Means. Does that mean that the House needs to adopt a resolution to make Mr. LEVIN chairman in fact and not just acting chairman?

The SPEAKER pro tempore. Clause 5(c) of rule X contemplates that the House will again establish an elected chair by adopting a resolution which is typically produced by direction of the majority party caucus.

Mr. CARTER. So the answer is yes? We do need a vote or we do not need a vote?

The SPEAKER pro tempore. The House may elect a chair. At this point the gentleman from Michigan is acting as chair.

Mr. CARTER. Further parliamentary inquiry. I believe X(5)(c) says that the next one in order shall act as the acting chair. If Mr. RANGEL by at least the

declaration of someone on this House floor is number one, wouldn't he be the chair again under these circumstances?

The SPEAKER pro tempore. The gentleman himself has just stated the "and so on" character of the rule.

Mr. CARTER. I'm sorry? I didn't understand you. Would you mind repeating that.

The SPEAKER pro tempore. The rule includes the phrase "and so on," as the gentleman from Texas previously read, and he has just reached the conclusion that the rule is operating.

Mr. CARTER. If I may further inquire, so the words "and so on" means that you don't go back to the original order, you just go to whoever was behind him at the time the first vacation took place of the chair?

The SPEAKER pro tempore. The devolution aspect of the rule operates in a cascading fashion.

Mr. CARTER. A cascading fashion?

The SPEAKER pro tempore. That is correct.

Mr. CARTER. I thank you for that clarification.

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

Mr. ETHERIDGE. Madam Speaker, pursuant to House Resolution 1137, I call up the bill (H.R. 2847) making appropriations for the Departments of Commerce, Justice, Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes, with a Senate amendment to the House amendment to the Senate amendment thereto, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will designate the Senate amendment to the House amendment to the Senate amendment.

The text of the amendment is as follows:

Senate amendment to House amendment to Senate amendment:

In lieu of the matter proposed to be inserted by the amendment of the House to the amendment of the Senate insert the following:

SECTION 1. SHORT TITLE; AMENDMENT OF 1986 CODE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the "Hiring Incentives to Restore Employment Act".

(b) **AMENDMENT OF 1986 CODE.**—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; amendment of 1986 Code; table of contents.

TITLE I—INCENTIVES FOR HIRING AND RETAINING UNEMPLOYED WORKERS

Sec. 101. Payroll tax forgiveness for hiring unemployed workers.

Sec. 102. Business credit for retention of certain newly hired individuals in 2010.

TITLE II—EXPENSING

Sec. 201. Increase in expensing of certain depreciable business assets.

TITLE III—QUALIFIED TAX CREDIT BONDS

Sec. 301. Issuer allowed refundable credit for certain qualified tax credit bonds.

TITLE IV—EXTENSION OF CURRENT SURFACE TRANSPORTATION PROGRAMS

Sec. 401. Short title.

Subtitle A—Federal-aid Highways

Sec. 411. In general.

Sec. 412. Administrative expenses.

Sec. 413. Rescission of unobligated balances.

Sec. 414. Reconciliation of funds.

Subtitle B—National Highway Traffic Safety Administration, Federal Motor Carrier Safety Administration, and Additional Programs

Sec. 421. Extension of National Highway Traffic Safety Administration Highway Safety Programs.

Sec. 422. Extension of Federal Motor Carrier Safety Administration Programs.

Sec. 423. Additional programs.

Subtitle C—Public Transportation Programs

Sec. 431. Allocation of funds for planning programs.

Sec. 432. Special rule for urbanized area formula grants.

Sec. 433. Allocating amounts for capital investment grants.

Sec. 434. Apportionment of formula grants for other than urbanized areas.

Sec. 435. Apportionment based on fixed guideway factors.

Sec. 436. Authorizations for public transportation.

Sec. 437. Amendments to SAFETEA-LU.

Subtitle D—Revenue Provisions

Sec. 441. Repeal of provision prohibiting the crediting of interest to the Highway Trust Fund.

Sec. 442. Restoration of certain foregone interest to Highway Trust Fund.

Sec. 443. Treatment of certain amounts appropriated to Highway Trust Fund.

Sec. 444. Termination of transfers from highway trust fund for certain repayments and credits.

Sec. 445. Extension of authority for expenditures.

Sec. 446. Level of obligation limitations.

TITLE V—OFFSET PROVISIONS

Subtitle A—Foreign Account Tax Compliance

PART I—INCREASED DISCLOSURE OF BENEFICIAL OWNERS

Sec. 501. Reporting on certain foreign accounts.

Sec. 502. Repeal of certain foreign exceptions to registered bond requirements.

PART II—UNDER REPORTING WITH RESPECT TO FOREIGN ASSETS

Sec. 511. Disclosure of information with respect to foreign financial assets.

Sec. 512. Penalties for underpayments attributable to undisclosed foreign financial assets.

Sec. 513. Modification of statute of limitations for significant omission of income in connection with foreign assets.

PART III—OTHER DISCLOSURE PROVISIONS

Sec. 521. Reporting of activities with respect to passive foreign investment companies.

Sec. 522. Secretary permitted to require financial institutions to file certain returns related to withholding on foreign transfers electronically.

PART IV—PROVISIONS RELATED TO FOREIGN TRUSTS

Sec. 531. Clarifications with respect to foreign trusts which are treated as having a United States beneficiary.

Sec. 532. Presumption that foreign trust has United States beneficiary.

Sec. 533. Uncompensated use of trust property.

Sec. 534. Reporting requirement of United States owners of foreign trusts.

Sec. 535. Minimum penalty with respect to failure to report on certain foreign trusts.

PART V—SUBSTITUTE DIVIDENDS AND DIVIDEND EQUIVALENT PAYMENTS RECEIVED BY FOREIGN PERSONS TREATED AS DIVIDENDS

Sec. 541. Substitute dividends and dividend equivalent payments received by foreign persons treated as dividends.

Subtitle B—Delay in Application of Worldwide Allocation of Interest

Sec. 551. Delay in application of worldwide allocation of interest.

TITLE I—INCENTIVES FOR HIRING AND RETAINING UNEMPLOYED WORKERS

SEC. 101. PAYROLL TAX FORGIVENESS FOR HIRING UNEMPLOYED WORKERS.

(a) **IN GENERAL.**—Section 3111 is amended by adding at the end the following new subsection:

“(d) **SPECIAL EXEMPTION FOR CERTAIN INDIVIDUALS HIRED IN 2010.**—

“(1) **IN GENERAL.**—Subsection (a) shall not apply to wages paid by a qualified employer with respect to employment during the period beginning on the day after the date of the enactment of this subsection and ending on December 31, 2010, of any qualified individual for services performed—

“(A) in a trade or business of such qualified employer, or

“(B) in the case of a qualified employer exempt from tax under section 501(a), in furtherance of the activities related to the purpose or function constituting the basis of the employer's exemption under section 501.

“(2) **QUALIFIED EMPLOYER.**—For purposes of this subsection—

“(A) **IN GENERAL.**—The term ‘qualified employer’ means any employer other than the United States, any State, or any political subdivision thereof, or any instrumentality of the foregoing.

“(B) **TREATMENT OF EMPLOYEES OF POST-SECONDARY EDUCATIONAL INSTITUTIONS.**—Notwithstanding subparagraph (A), the term ‘qualified employer’ includes any employer which is a public institution of higher education (as defined in section 101(b) of the Higher Education Act of 1965).

“(3) **QUALIFIED INDIVIDUAL.**—For purposes of this subsection, the term ‘qualified individual’ means any individual who—

“(A) begins employment with a qualified employer after February 3, 2010, and before January 1, 2011,

“(B) certifies by signed affidavit, under penalties of perjury, that such individual has not been employed for more than 40 hours during the 60-day period ending on the date such individual begins such employment,

“(C) is not employed by the qualified employer to replace another employee of such employer unless such other employee separated from employment voluntarily or for cause, and

“(D) is not an individual described in section 51(i)(1) (applied by substituting ‘qualified employer’ for ‘taxpayer’ each place it appears).

“(4) **ELECTION.**—A qualified employer may elect to have this subsection not apply. Such election shall be made in such manner as the Secretary may require.”.

(b) **COORDINATION WITH WORK OPPORTUNITY CREDIT.**—Section 51(c) is amended by adding at the end the following new paragraph:

“(5) **COORDINATION WITH PAYROLL TAX FORGIVENESS.**—The term ‘wages’ shall not include any amount paid or incurred to a qualified individual (as defined in section 3111(d)(3)) during the 1-year period beginning on the hiring date of such individual by a qualified employer (as defined in section 3111(d)) unless such qualified employer makes an election not to have section 3111(d) apply.”.

(c) **TRANSFERS TO FEDERAL OLD-AGE AND SURVIVORS INSURANCE TRUST FUND.**—There are

hereby appropriated to the Federal Old-Age and Survivors Trust Fund and the Federal Disability Insurance Trust Fund established under section 201 of the Social Security Act (42 U.S.C. 401) amounts equal to the reduction in revenues to the Treasury by reason of the amendments made by subsection (a). Amounts appropriated by the preceding sentence shall be transferred from the general fund at such times and in such manner as to replicate to the extent possible the transfers which would have occurred to such Trust Fund had such amendments not been enacted.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall apply to wages paid after the date of the enactment of this Act.

SEC. 102. BUSINESS CREDIT FOR RETENTION OF CERTAIN NEWLY HIRED INDIVIDUALS IN 2010.

(a) **IN GENERAL.**—In the case of any taxable year ending after the date of the enactment of this Act, the current year business credit determined under section 38(b) of the Internal Revenue Code of 1986 for such taxable year shall be increased by an amount equal to the product of—

(1) \$1,000, and

(2) the number of retained workers with respect to which subsection (b)(2) is first satisfied during such taxable year.

(b) **RETAINED WORKER.**—For purposes of this section, the term “retained worker” means any qualified individual (as defined in section 3111(d)(3) of the Internal Revenue Code of 1986)—

(1) who was employed by the taxpayer on any date during the taxable year,

(2) who was so employed by the taxpayer for a period of not less than 52 consecutive weeks, and

(3) whose wages for such employment during the last 26 weeks of such period equaled at least 80 percent of such wages for the first 26 weeks of such period.

(c) **LIMITATION ON CARRYBACKS.**—No portion of the unused business credit under section 38 of the Internal Revenue Code of 1986 for any taxable year which is attributable to the increase in the current year business credit under this section may be carried to a taxable year beginning before the date of the enactment of this section.

TITLE II—EXPENSING

SEC. 201. INCREASE IN EXPENSING OF CERTAIN DEPRECIABLE BUSINESS ASSETS.

(a) **IN GENERAL.**—Subsection (b) of section 179 is amended—

(1) by striking “(\$125,000 in the case of taxable years beginning after 2006 and before 2011)” in paragraph (1) and inserting “(\$250,000 in the case of taxable years beginning after 2007 and before 2011)”,

(2) by striking “(\$500,000 in the case of taxable years beginning after 2006 and before 2011)” in paragraph (2) and inserting “(\$800,000 in the case of taxable years beginning after 2007 and before 2011)”,

(3) by striking paragraphs (5) and (7), and

(4) by redesignating paragraph (6) as paragraph (5).

(b) **EFFECTIVE DATE.**—The amendments made by this section shall apply to taxable years beginning after December 31, 2009.

TITLE III—QUALIFIED TAX CREDIT BONDS

SEC. 301. ISSUER ALLOWED REFUNDABLE CREDIT FOR CERTAIN QUALIFIED TAX CREDIT BONDS.

(a) **CREDIT ALLOWED.**—Section 6431 is amended by adding at the end the following new subsection:

“(f) **APPLICATION OF SECTION TO CERTAIN QUALIFIED TAX CREDIT BONDS.**—

“(1) **IN GENERAL.**—In the case of any specified tax credit bond—

“(A) such bond shall be treated as a qualified bond for purposes of this section,

“(B) subsection (a) shall be applied without regard to the requirement that the qualified bond be issued before January 1, 2011,

“(C) the amount of the payment determined under subsection (b) with respect to any interest payment date under such bond shall be—

“(i) in the case of a bond issued by a qualified small issuer, 65 percent of the amount of interest payable on such bond by such issuer with respect to such date, and

“(ii) in the case of a bond issued by any other person, 45 percent of the amount of interest payable on such bond by such issuer with respect to such date,

“(D) interest on any such bond shall be includible in gross income for purposes of this title,

“(E) no credit shall be allowed under section 54A with respect to such bond,

“(F) any payment made under subsection (b) shall not be includible as income for purposes of this title, and

“(G) the deduction otherwise allowed under this title to the issuer of such bond with respect to interest paid under such bond shall be reduced by the amount of the payment made under this section with respect to such interest.

“(2) **DEFINITIONS.**—For purposes of this subsection—

“(A) **SPECIFIED TAX CREDIT BOND.**—The term ‘specified tax credit bond’ means any qualified tax credit bond (as defined in section 54A(d)) if—

“(i) such bond is—

“(I) a new clean renewable energy bond (as defined in section 54C),

“(II) a qualified energy conservation bond (as defined in section 54D),

“(III) a qualified zone academy bond (as defined in section 54E), or

“(IV) a qualified school construction bond (as defined in section 54F), and

“(ii) the issuer of such bond makes an irrevocable election to have this subsection apply,

“(B) **QUALIFIED SMALL ISSUER.**—The term ‘qualified small issuer’ means, with respect to any calendar year, any issuer who is not reasonably expected to issue tax-exempt bonds (other than private activity bonds) and specified tax credit bonds (determined without regard to whether an election is made under this subsection) during such calendar year in an aggregate face amount exceeding \$30,000,000.”

(b) **TECHNICAL CORRECTIONS RELATING TO QUALIFIED SCHOOL CONSTRUCTION BONDS.**—

(1) The second sentence of section 54F(d)(1) is amended by striking “by the State” and inserting “by the State education agency (or such other agency as is authorized under State law to make such allocation)”.

(2) The second sentence of section 54F(e) is amended by striking “subsection (d)(4)” and inserting “paragraphs (2) and (4) of subsection (d)”.

(c) **EFFECTIVE DATES.**—

(1) **IN GENERAL.**—The amendment made by subsection (a) shall apply to bonds issued after the date of the enactment of this Act.

(2) **TECHNICAL CORRECTIONS.**—The amendments made by subsection (b) shall take effect as if included in section 1521 of the American Recovery and Reinvestment Tax Act of 2009.

TITLE IV—EXTENSION OF CURRENT SURFACE TRANSPORTATION PROGRAMS

SEC. 401. SHORT TITLE.

This title may be cited as the “Surface Transportation Extension Act of 2010”.

Subtitle A—Federal-aid Highways

SEC. 411. IN GENERAL.

(a) **IN GENERAL.**—Except as provided in this Act, requirements, authorities, conditions, eligibilities, limitations, and other provisions authorized under titles I, V, and VI of the SAFETEA-LU (119 Stat. 1144), the SAFETEA-LU Technical Corrections Act of 2008 (122 Stat. 1572), titles I and VI of the Intermodal Surface Transportation Act of 1991 (105 Stat. 1914), titles I and V of the Transportation Equity Act for the 21st Century (112 Stat. 107), and title 23, United

States Code (excluding chapter 4 of that title), which would otherwise expire on or cease to apply after September 30, 2009, or the date specified in section 106(3) of the Continuing Appropriations Resolution, 2010 (Public Law 111-68), are incorporated by reference and shall continue in effect until December 31, 2010.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—Except as provided in section 412, there are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account)—

(1) for fiscal year 2010, a sum equal to the total amount authorized to be appropriated out of the Highway Trust Fund for programs, projects, and activities for fiscal year 2009 under titles I, V, and VI of the SAFETEA-LU (119 Stat. 1144), and title 23, United States Code (excluding chapter 4 of that title); and

(2) for the period beginning on October 1, 2010, and ending on December 31, 2010, a sum equal to $\frac{1}{4}$ of the total amount authorized to be appropriated out of the Highway Trust Fund for programs, projects, and activities for fiscal year 2009 under titles I, V, and VI of the SAFETEA-LU (119 Stat. 1144), and title 23, United States Code (excluding chapter 4 of that title).

(c) **USE OF FUNDS.**—

(1) **FISCAL YEAR 2010.**—Except as otherwise expressly provided in this Act, funds authorized to be appropriated under subsection (b)(1) for fiscal year 2010 shall be distributed, administered, limited, and made available for obligation in the same manner and at the same level as funds authorized to be appropriated out of the Highway Trust Fund for fiscal year 2009 to carry out programs, projects, activities, eligibilities, and requirements under the SAFETEA-LU (119 Stat. 1144), the SAFETEA-LU Technical Corrections Act of 2008 (122 Stat. 1572), titles I and VI of the Intermodal Surface Transportation Act of 1991 (105 Stat. 1914), titles I and V of the Transportation Equity Act for the 21st Century (112 Stat. 107), and title 23, United States Code (excluding chapter 4 of that title).

(2) **FISCAL YEAR 2011.**—Except as otherwise expressly provided in this Act, funds authorized to be appropriated under subsection (b)(2) for the period beginning on October 1, 2010, and ending on December 31, 2010, shall be distributed, administered, limited, and made available for obligation in the same manner and at the same level as $\frac{1}{4}$ of the total amount of funds authorized to be appropriated out of the Highway Trust Fund for fiscal year 2009 to carry out programs, projects, activities, eligibilities, and requirements under the SAFETEA-LU (119 Stat. 1144), the SAFETEA-LU Technical Corrections Act of 2008 (122 Stat. 1572), titles I and VI of the Intermodal Surface Transportation Act of 1991 (105 Stat. 1914), titles I and V of the Transportation Equity Act for the 21st Century (112 Stat. 107), and title 23, United States Code (excluding chapter 4 of that title).

(3) **CALCULATION.**—The amounts authorized to be appropriated under subsection (b) shall be calculated without regard to any rescission or cancellation of funds or contract authority for fiscal year 2009 under the SAFETEA-LU (119 Stat. 1144) or any other law.

(4) **CONTRACT AUTHORITY.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (B), funds authorized to be appropriated under this section shall be available for obligation and shall be administered in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code, and—

(i) for fiscal year 2010, shall be subject to a limitation on obligations for Federal-aid highways and highway safety construction programs included in an Act making appropriations for fiscal year 2010 or a portion of that fiscal year; and

(ii) for the period beginning on October 1, 2010, and ending on December 31, 2010, shall be subject to a limitation on obligations included in an Act making appropriations for fiscal year

2011 or a portion of that fiscal year, except that during such period obligations subject to such limitation shall not exceed $\frac{1}{4}$ of the limitation on obligations included in an Act making appropriations for fiscal year 2011.

(B) EXCEPTIONS.—A limitation on obligations described in clause (i) or (ii) of subparagraph (A) shall not apply to any obligation under—

(i) section 125 of title 23, United States Code; or

(ii) section 105 of title 23, United States Code—

(I) for fiscal year 2010, only in an amount equal to \$639,000,000; and

(II) for the period beginning on October 1, 2010, and ending on December 31, 2010, only in an amount equal to \$159,750,000.

(5) CALCULATIONS FOR DISTRIBUTION OF OBLIGATION LIMITATION.—Upon enactment of an Act making appropriations for the Department of Transportation for fiscal year 2011 (other than an Act or resolution making continuing appropriations), the Secretary shall—

(A) as necessary for purposes of making the calculations for the distribution of any obligation limitation under such Act, annualize the amount of contract authority provided under this Act for Federal-aid highways and highway safety construction programs; and

(B) multiply the resulting distribution of any obligation limitation under such Act by $\frac{1}{4}$.

(d) EXTENSION AND FLEXIBILITY FOR CERTAIN ALLOCATED PROGRAMS.—

(1) FISCAL YEAR 2010.—Notwithstanding any other provision of law, for fiscal year 2010, the portion of the share of funds of a State under subsection (b)(1) determined by the amount that the State received or was authorized to receive for fiscal year 2009 to carry out sections 1301, 1302, 1307, 1702, and 1934 of the SAFETEA-LU (119 Stat. 1198, 1204, 1217, 1256, and 1485), and section 144(f)(1) of title 23, United States Code, shall be—

(A) made available to the State for programs apportioned under sections 104(b) and 144 of title 23, United States Code, and in the same proportion for each such program that—

(i) the amount apportioned to the State for that program for fiscal year 2009; bears to

(ii) the amount apportioned to the State for fiscal year 2009 for all programs apportioned under such sections of such Code; and

(B) administered in the same manner and with the same period of availability as such funding is administered under programs identified in subparagraph (A), except that no funds may be used to carry out the project described in section 1307(d)(1) of the SAFETEA-LU (119 Stat. 1217; 122 Stat. 1577).

(2) FISCAL YEAR 2011.—Notwithstanding any other provision of law, for the period beginning on October 1, 2010, and ending on December 31, 2010, the portion of the share of funds of a State under subsection (b)(2) determined by $\frac{1}{4}$ of the amount that the State received or was authorized to receive for fiscal year 2009 to carry out sections 1301, 1302, 1307, 1702, and 1934 of the SAFETEA-LU (119 Stat. 1198, 1204, 1217, 1256, and 1485) and section 144(f)(1) of title 23, United States Code, shall be—

(A) made available to the State for programs apportioned under sections 104(b) and 144 of title 23, United States Code, and in the same proportion for each such program that—

(i) the amount apportioned to the State for that program for fiscal year 2009; bears to

(ii) the amount apportioned to the State for fiscal year 2009 for all programs apportioned under such sections of such Code; and

(B) administered in the same manner and with the same period of availability as such funding is administered under programs identified in subparagraph (A), except that no funds may be used to carry out the project described in section 1307(d)(1) of the SAFETEA-LU (119 Stat. 1217; 122 Stat. 1577).

(3) TERRITORIES AND PUERTO RICO.—

(A) FISCAL YEAR 2010.—Notwithstanding any other provision of law, for fiscal year 2010, the

portion of the share of funds of a territory or Puerto Rico under paragraph (b)(1) determined by the amount that the territory or Puerto Rico received or was authorized to receive for fiscal year 2009 to carry out section 1934 of SAFETEA-LU (119 Stat. 1485), shall be—

(i) for a territory, made available and administered in the same manner as funding is made available and administered under section 215 of title 23, United States Code; and

(ii) for Puerto Rico, made available and administered in the same manner as funding is made available and administered under section 165 of title 23, United States Code.

(B) FISCAL YEAR 2011.—Notwithstanding any other provision of law, for the period beginning on October 1, 2010, and ending on December 31, 2010, the portion of the share of funds of a territory or Puerto Rico under paragraph (b)(2) determined by $\frac{1}{4}$ of the amount that the territory or Puerto Rico received or was authorized to receive for fiscal year 2009 to carry out section 1934 of SAFETEA-LU (119 Stat. 1485), shall be—

(i) for a territory, made available and administered in the same manner as funding is made available and administered under section 215 of title 23, United States Code; and

(ii) for Puerto Rico, made available and administered in the same manner as funding is made available and administered under section 165 of title 23, United States Code.

(C) TERRITORY DEFINED.—In this paragraph, the term “territory” means any of the following territories of the United States: American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, or the United States Virgin Islands.

(4) ADDITIONAL FUNDS.—

(A) IN GENERAL.—No additional funds shall be provided for any project or activity under subsection (c), or paragraph (1) or (2) of this subsection, that the Secretary of Transportation determines was sufficiently funded before or during fiscal year 2009 to achieve the authorized purpose of the project or activity.

(B) RESERVATION AND REDISTRIBUTION OF FUNDS.—Funds made available in accordance with paragraph (1) or (2) of subsection (c) or paragraph (1) or (2) of this subsection for a project or activity described in subparagraph (A) shall be—

(i) reserved by the Secretary of Transportation; and

(ii) distributed to each State in accordance with paragraph (1) or (2) of subsection (c), or paragraph (1) or (2) of this subsection, as appropriate, for use in carrying out other highway projects and activities extended by subsection (c) or this subsection, in the proportion that—

(1) the total amount of funds made available for fiscal year 2009 for projects and activities described in subparagraph (A) in the State; bears to

(II) the total amount of funds made available for fiscal year 2009 for those projects and activities in all States.

(e) EXTENSION OF AUTHORIZATIONS UNDER TITLE V OF SAFETEA-LU.—

(1) IN GENERAL.—The programs authorized under paragraphs (1) through (5) of section 5101(a) of the SAFETEA-LU (119 Stat. 1779) shall be continued—

(A) for fiscal year 2010, at the funding levels authorized for those programs for fiscal year 2009; and

(B) for the period beginning on October 1, 2010, and ending on December 31, 2010, at $\frac{1}{4}$ the funding levels authorized for those programs for fiscal year 2009.

(2) DISTRIBUTION OF FUNDS.—Funds for programs continued under paragraph (1) shall be distributed to major program areas under those programs in the same proportions as funds were allocated for those program areas for fiscal year 2009, except that designations for specific activities shall not be required to be continued for—

(A) fiscal year 2010; or

(B) the period beginning on October 1, 2010, and ending on December 31, 2010.

(3) ADDITIONAL FUNDS.—

(A) IN GENERAL.—No additional funds shall be provided for any project or activity under this subsection that the Secretary of Transportation determines was sufficiently funded before or during fiscal year 2009 to achieve the authorized purpose of the project or activity.

(B) DISTRIBUTION.—Funds that would have been made available under paragraph (1) for a project or activity but for the prohibition under subparagraph (A) shall be distributed in accordance with paragraph (2).

SEC. 412. ADMINISTRATIVE EXPENSES.

(a) AUTHORIZATION OF CONTRACT AUTHORITY.—Notwithstanding any other provision of this Act or any other law, there are authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account), from amounts provided under section 411, for administrative expenses of the Federal-aid highway program—

(1) \$422,425,000 for fiscal year 2010; and

(2) \$105,606,250 for the period beginning on October 1, 2010, and ending on December 31, 2010.

(b) CONTRACT AUTHORITY.—Funds authorized to be appropriated by this section shall be—

(1) available for obligation, and shall be administered, in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code; and

(2) subject to a limitation on obligations for Federal-aid highways and highway safety construction programs, except that such funds shall remain available until expended.

SEC. 413. RESCISSION OF UNOBLIGATED BALANCES.

(a) IN GENERAL.—The Secretary of Transportation shall restore funds rescinded pursuant to section 10212 of the SAFETEA-LU (Public Law 109–59; 119 Stat. 1937) to the States and to the programs from which the funds were rescinded.

(b) ADMINISTRATION OF FUNDS.—The restored amounts shall be administered in the same manner as the funds originally rescinded, except those funds may only be used with an obligation limitation provided in an Act making appropriations for Federal-aid highways and highway safety construction programs enacted after implementation of the rescission under section 10212 of the SAFETEA-LU (Public Law 109–59; 119 Stat. 1937).

(c) FUNDING.—

(1) IN GENERAL.—There is authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) for fiscal year 2010 to carry out this section an amount equal to the amount of funds rescinded under section 10212 of the SAFETEA-LU (Public Law 109–59; 119 Stat. 1937).

(2) AVAILABILITY FOR OBLIGATION.—Funds authorized to be appropriated by this section shall be—

(A) made available under this section and available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code, except that the funds shall retain the characteristics of the funds originally rescinded; and

(B) subject to a limitation on obligations for Federal-aid highways and highway safety construction programs included in an Act making appropriations for fiscal year 2010 or a portion of the fiscal year.

(d) LIMITATION.—No funds authorized to be restored under this section shall be restored after the end of fiscal year 2010.

SEC. 414. RECONCILIATION OF FUNDS.

The Secretary shall reduce the amount apportioned or allocated for a program, project, or activity under this title by amounts apportioned or allocated pursuant to the Continuing Appropriations Resolution, 2010 (Public Law 111–68).

Subtitle B—National Highway Traffic Safety Administration, Federal Motor Carrier Safety Administration, and Additional Programs

SEC. 421. EXTENSION OF NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION HIGHWAY SAFETY PROGRAMS.

(a) CHAPTER 4 HIGHWAY SAFETY PROGRAMS.—Section 2001(a)(1) of the SAFETEA-LU (119 Stat. 1519) is amended—

(1) by striking “and”; and
(2) by striking “2009.” and inserting “2009, \$235,000,000 for fiscal year 2010, and \$58,750,000 for the period beginning on October 1, 2010, and ending on December 31, 2010.”.

(b) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—Section 2001(a)(2) of the SAFETEA-LU (119 Stat. 1519) is amended—

(1) by striking “and”; and
(2) by striking “2009.” and inserting “2009, \$107,329,000 for fiscal year 2010, and \$27,061,000 for the period beginning on October 1, 2010, and ending on December 31, 2010.”.

(c) OCCUPANT PROTECTION INCENTIVE GRANTS.—

(1) EXTENSION OF PROGRAM.—Section 405(a) of title 23, United States Code, is amended—

(A) in paragraph (3), by striking “6” and inserting “8”; and

(B) in paragraph (4)(C), by striking “fifth and sixth” and inserting “fifth through eighth”.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 2001(a)(3) of the SAFETEA-LU (119 Stat. 1519) is amended—

(A) by striking “and”; and
(B) by striking “2009.” and inserting “2009, \$25,000,000 for fiscal year 2010, and \$6,250,000 for the period beginning on October 1, 2010, and ending on December 31, 2010.”.

(d) SAFETY BELT PERFORMANCE GRANTS.—Section 2001(a)(4) of the SAFETEA-LU (119 Stat. 1519) is amended—

(1) by striking “and”; and
(2) by striking “2009.” and inserting “2009, \$124,500,000 for fiscal year 2010, and \$31,125,000 for the period beginning on October 1, 2010, and ending on December 31, 2010.”.

(e) STATE TRAFFIC SAFETY INFORMATION SYSTEM IMPROVEMENTS.—Section 2001(a)(5) of the SAFETEA-LU (119 Stat. 1519) is amended—

(1) by striking “and”; and
(2) by striking “2009.” and inserting “2009, \$34,500,000 for fiscal year 2010, and \$8,625,000 for the period beginning on October 1, 2010, and ending on December 31, 2010.”.

(f) ALCOHOL-IMPAIRED DRIVING COUNTERMEASURES INCENTIVE GRANT PROGRAM.—

(1) EXTENSION OF PROGRAM.—Section 410 of title 23, United States Code, is amended—

(A) in subsection (a)(3)(C), by striking “fifth, sixth, seventh, and eighth” and inserting “fifth through tenth”; and

(B) in subsection (b)(2)(C), by striking “2008 and 2009” and inserting “2008, 2009, 2010, and 2011”.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 2001(a)(6) of the SAFETEA-LU (119 Stat. 1519) is amended—

(A) by striking “and”; and
(B) by striking “2009.” and inserting “2009, \$139,000,000 for fiscal year 2010, and \$34,750,000 for the period beginning on October 1, 2010, and ending on December 31, 2010.”.

(g) NATIONAL DRIVER REGISTER.—Section 2001(a)(7) of the SAFETEA-LU (119 Stat. 1520) is amended—

(1) by striking “and”; and
(2) by striking “2009.” and inserting “2009, \$4,078,000 for fiscal year 2010, and \$1,029,000 for the period beginning on October 1, 2010, and ending on December 31, 2010.”.

(h) HIGH VISIBILITY ENFORCEMENT PROGRAM.—

(1) EXTENSION OF PROGRAM.—Section 2009(a) of the SAFETEA-LU (23 U.S.C. 402 note) is amended by striking “2009” and inserting “2011”.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 2001(a)(8) of the SAFETEA-LU (119 Stat. 1520) is amended—

(A) by striking “and”; and

(B) by striking “2009.” and inserting “2009, \$29,000,000 for fiscal year 2010, and \$7,250,000 for the period beginning on October 1, 2010, and ending on December 31, 2010.”.

(i) MOTORCYCLIST SAFETY.—

(1) EXTENSION OF PROGRAM.—Section 2010(d)(1)(B) of the SAFETEA-LU (23 U.S.C. 402 note) is amended by striking “and fourth” and inserting “fourth, fifth, and sixth”.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 2001(a)(9) of the SAFETEA-LU (119 Stat. 1520) is amended—

(A) by striking “and”; and

(B) by striking “2009.” and inserting “2009, \$7,000,000 for fiscal year 2010, and \$1,750,000 for the period beginning on October 1, 2010, and ending on December 31, 2010.”.

(j) CHILD SAFETY AND CHILD BOOSTER SEAT SAFETY INCENTIVE GRANTS.—

(1) EXTENSION OF PROGRAM.—Section 2011(c)(2) of the SAFETEA-LU (23 U.S.C. 405 note) is amended by striking “fourth fiscal year” and inserting “fourth, fifth, and sixth fiscal years”.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 2001(a)(10) of the SAFETEA-LU (119 Stat. 1520) is amended—

(A) by striking “and”; and

(B) by striking “2009.” and inserting “2009, \$7,000,000 for fiscal year 2010, and \$1,750,000 for the period beginning on October 1, 2010, and ending on December 31, 2010.”.

(k) ADMINISTRATIVE EXPENSES.—Section 2001(a)(11) of the SAFETEA-LU (119 Stat. 1520) is amended—

(1) by striking “and” the last place it appears; and

(2) by striking “2009.” and inserting “2009, \$25,047,000 for fiscal year 2010, and \$6,332,000 for the period beginning on October 1, 2010, and ending on December 31, 2010.”.

(l) APPLICABILITY OF TITLE 23.—Section 2001(c) of the SAFETEA-LU (119 Stat. 1520) is amended by striking “2009” and inserting “2011”.

(m) DRUG-IMPAIRED DRIVING ENFORCEMENT.—Section 2013(f) of the SAFETEA-LU (23 U.S.C. 403 note) is amended by striking “2009” and inserting “2011”.

(n) OLDER DRIVER SAFETY; LAW ENFORCEMENT TRAINING.—Section 2017 of the SAFETEA-LU is amended—

(1) in subsection (a)(1) (119 Stat. 1541), by striking “2009” and inserting “2011”; and

(2) in subsection (b)(2) (23 U.S.C. 402 note), by striking “2009” and inserting “2011”.

SEC. 422. EXTENSION OF FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION PROGRAMS.

(a) MOTOR CARRIER SAFETY GRANTS.—Section 31104(a) of title 49, United States Code, is amended—

(1) in paragraph (4), by striking “and” at the end;

(2) in paragraph (5), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(6) \$209,000,000 for fiscal year 2010; and
“(7) \$52,679,000 for the period beginning on October 1, 2010, and ending on December 31, 2010.”.

(b) ADMINISTRATIVE EXPENSES.—Section 31104(i)(1) of title 49, United States Code, is amended—

(1) in subparagraph (D), by striking “and”; and

(2) in subparagraph (E), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(F) “(F) \$239,828,000 for fiscal year 2010; and
“(G) “(G) \$61,036,000 for the period beginning on October 1, 2010, and ending on December 31, 2010.”.

(c) GRANT PROGRAMS.—Section 4101(c) of the SAFETEA-LU (119 Stat. 1715) is amended—

(1) in paragraph (1), by striking “2009.” and inserting “2009, and \$25,000,000 for fiscal year 2010, and \$6,301,000 for the period beginning on

October 1, 2010, and ending on December 31, 2010.”;

(2) in paragraph (2), by striking “2009.” and inserting “2009, \$32,000,000 for fiscal year 2010, and \$8,066,000 for the period beginning on October 1, 2010, and ending on December 31, 2010.”;

(3) in paragraph (3), by striking “2009.” and inserting “2009, \$5,000,000 for fiscal year 2010, and \$1,260,000 for the period beginning on October 1, 2010, and ending on December 31, 2010.”;

(4) in paragraph (4), by striking “2009.” and inserting “2009, \$25,000,000 for fiscal year 2010, and \$6,301,000 for the period beginning on October 1, 2010, and ending on December 31, 2010.”; and

(5) in paragraph (5), by striking “2009.” and inserting “2009, \$3,000,000 for fiscal year 2010, and \$756,000 for the period beginning on October 1, 2010, and ending on December 31, 2010.”.

(d) HIGH-PRIORITY ACTIVITIES.—Section 31104(k) of title 49, United States Code, is amended by striking “2009” in paragraph (2) and inserting “2009, \$15,000,000 for fiscal year 2010, and \$3,781,000 for the period beginning on October 1, 2010, and ending on December 31, 2010”.

(e) NEW ENTRANT AUDITS.—Section 31144(g)(5)(B) of title 49, United States Code, is amended by inserting “(and up to \$7,310,000 for the period beginning on October 1, 2010, and ending on December 31, 2010)” after “fiscal year”.

(f) COMMERCIAL DRIVER'S LICENSE INFORMATION SYSTEM MODERNIZATION.—Section 4123(d) of the SAFETEA-LU (119 Stat. 1736) is amended—

(1) in paragraph (3), by striking “and” at the end;

(2) in paragraph (4), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(5) \$8,000,000 for fiscal year 2010; and
“(6) \$2,016,000 for the period beginning on October 1, 2010, and ending on December 31, 2010.”.

(g) OUTREACH AND EDUCATION.—Section 4127(e) of the SAFETEA-LU (119 Stat. 1741) is amended by striking “and 2009” and inserting “2009, and 2010, and \$252,000 to the Federal Motor Carrier Safety Administration, and \$756,000 to the National Highway Traffic Safety Administration, for the period beginning on October 1, 2010, and ending on December 31, 2010.”.

(h) GRANT PROGRAM FOR COMMERCIAL MOTOR VEHICLE OPERATORS.—Section 4134(c) of the SAFETEA-LU (119 Stat. 1744) is amended by striking “2009” and inserting “2009, 2010, and \$252,000 for the period beginning on October 1, 2010, and ending on December 31, 2010.”.

(i) MOTOR CARRIER SAFETY ADVISORY COMMITTEE.—Section 4144(d) of the SAFETEA-LU (119 Stat. 1748) is amended by striking “September 30, 2010” and inserting “December 31, 2010”.

(j) WORKING GROUP FOR DEVELOPMENT OF PRACTICES AND PROCEDURES TO ENHANCE FEDERAL-STATE RELATIONS.—Section 4213(d) of the SAFETEA-LU (49 U.S.C. 14710 note) is amended by striking “September 30, 2009” and inserting “December 31, 2010”.

SEC. 423. ADDITIONAL PROGRAMS.

(a) HAZARDOUS MATERIALS RESEARCH PROJECTS.—Section 7131(c) of the SAFETEA-LU (119 Stat. 1910) is amended by striking “through 2009” and inserting “through 2010, and \$315,000 for the period beginning on October 1, 2010, and ending on December 31, 2010.”.

(b) DINGELL-JOHNSON SPORT FISH RESTORATION ACT.—Section 4 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking “2009,” and inserting “2010 and for the period beginning on October 1, 2010, and ending on December 31, 2010.”; and

(2) in subsection (b)(1)(A), by striking “2010,” and inserting “and for the period beginning on

October 1, 2010, and ending on December 31, 2010.”.

Subtitle C—Public Transportation Programs
SEC. 431. ALLOCATION OF FUNDS FOR PLANNING PROGRAMS.

Section 5305(g) of title 49, United States Code, is amended by striking “2009” and inserting “2010, and for the period beginning October 1, 2010, and ending December 31, 2010.”.

SEC. 432. SPECIAL RULE FOR URBANIZED AREA FORMULA GRANTS.

Section 5307(b)(2) of title 49, United States Code, is amended—

(1) in the paragraph heading, by striking “2009” and inserting “2010, AND THE PERIOD BEGINNING OCTOBER 1, 2010, AND ENDING DECEMBER 31, 2010”;

(2) in subparagraph (A), by striking “2009,” and inserting “2010, and the period beginning October 1, 2010, and ending December 31, 2010,”; and

(3) in subparagraph (E)—

(A) in the subparagraph heading, by striking “AND 2009” and inserting “THROUGH 2010 AND DURING THE PERIOD BEGINNING OCTOBER 1, 2010, AND ENDING DECEMBER 31, 2010”; and

(B) in the matter preceding clause (i), by striking “and 2009” and inserting “through 2010, and during the period beginning October 1, 2010, and ending December 31, 2010.”.

SEC. 433. ALLOCATING AMOUNTS FOR CAPITAL INVESTMENT GRANTS.

Section 5309(m) of title 49, United States Code, is amended—

(1) in paragraph (2)—

(A) in the heading, by striking “2009” and inserting “2010 AND OCTOBER 1, 2010, THROUGH DECEMBER 31, 2010”;

(B) in the matter preceding subparagraph (A), by striking “2009” and inserting “2010, and during the period beginning October 1, 2010, and ending December 31, 2010,”; and

(C) in subparagraph (A)(i), by striking “2009” and inserting “2010, and \$50,000,000 for the period beginning October 1, 2010, and ending December 31, 2010,”;

(2) in paragraph (6)—

(A) in subparagraph (B), by striking “2009” and inserting “2010, and \$3,750,000 shall be available for the period beginning October 1, 2010, and ending December 31, 2010,”; and

(B) in subparagraph (C), by striking “2009” and inserting “2010, and \$1,250,000 shall be available for the period beginning October 1, 2010 and ending December 31, 2010,”; and

(3) in paragraph (7)—

(A) in subparagraph (A)—

(i) by redesignating clauses (i) through (viii) as subclauses (I) through (VIII), respectively;

(ii) in the matter preceding subclause (I), as so redesignated, by striking “\$10,000,000” and all that follows through “2009” and inserting the following:

“(i) FISCAL YEARS 2006 THROUGH 2010.—\$10,000,000 shall be available in each of fiscal years 2006 through 2010”; and

(iii) by inserting after subclause (VIII), as so redesignated, the following:

“(ii) SPECIAL RULE FOR OCTOBER 1, 2010, THROUGH DECEMBER 31, 2010.—\$2,500,000 shall be available in the period beginning October 1, 2010, and ending December 31, 2010, for ferry boats or ferry terminal facilities. The Secretary shall set aside a portion of such amount in accordance with clause (i), except that the Secretary shall set aside 25 percent of each dollar amount specified in subclauses (I) through (VIII).”;

(B) in subparagraph (B), by inserting after “2009,” the following:

“(v) \$13,500,000 for fiscal year 2010.

“(vi) \$3,375,000 for the period beginning October 1, 2010, and ending December 31, 2010.”;

(C) in subparagraph (C), by inserting “, and during the period beginning October 1, 2010, and ending December 31, 2010,” after “fiscal year”;

(D) in subparagraph (D), by inserting “, and not less than \$8,750,000 shall be available for the

period beginning October 1, 2010, and ending December 31, 2010,” after “year”; and

(E) in subparagraph (E), by inserting “, and \$750,000 shall be available for the period beginning October 1, 2010, and ending December 31, 2010,” after “year”.

SEC. 434. APPORTIONMENT OF FORMULA GRANTS FOR OTHER THAN URBANIZED AREAS.

Section 5311(c)(1) of title 49, United States Code, is amended by adding at the end the following:

“(E) \$15,000,000 for fiscal year 2010.

“(F) \$3,750,000 for the period beginning October 1, 2010, and ending December 31, 2010.”.

SEC. 435. APPORTIONMENT BASED ON FIXED GUIDEWAY FACTORS.

Section 5337 of title 49, United States Code, is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking “2009” and inserting “2010”; and

(2) by adding at the end the following:

“(g) SPECIAL RULE FOR OCTOBER 1, 2010, THROUGH DECEMBER 31, 2010.—The Secretary shall apportion amounts made available for fixed guideway modernization under section 5309 for the period beginning October 1, 2010, and ending December 31, 2010, in accordance with subsection (a), except that the Secretary shall apportion 25 percent of each dollar amount specified in subsection (a).”.

SEC. 436. AUTHORIZATIONS FOR PUBLIC TRANSPORTATION.

(a) FORMULA AND BUS GRANTS.—Section 5338(b) of title 49, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (C), by striking “and” at the end;

(B) in subparagraph (D), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(E) \$8,360,565,000 for fiscal year 2010; and
 “(F) \$2,090,141,250 for the period beginning October 1, 2010, and ending December 31, 2010.”;

(2) in paragraph (2)—

(A) in subparagraph (A), by striking “and \$113,500,000 for fiscal year 2009” and inserting “\$113,500,000 for each of fiscal years 2009 and 2010, and \$28,375,000 for the period beginning October 1, 2010, and ending December 31, 2010.”;

(B) in subparagraph (B), by striking “and \$4,160,365,000 for fiscal year 2009” and inserting “\$4,160,365,000 for each of fiscal years 2009 and 2010, and \$1,040,091,250 for the period beginning October 1, 2010, and ending December 31, 2010.”;

(C) in subparagraph (C), by striking “and \$51,500,000 for fiscal year 2009” and inserting “\$51,500,000 for each of fiscal years 2009 and 2010, and \$12,875,000 for the period beginning October 1, 2010, and ending December 31, 2010.”;

(D) in subparagraph (D), by striking “and \$1,666,500,000 for fiscal year 2009” and inserting “\$1,666,500,000 for each of fiscal years 2009 and 2010, and \$416,625,000 for the period beginning October 1, 2010 and ending December 31, 2010.”;

(E) in subparagraph (E), by striking “and \$984,000,000 for fiscal year 2009” and inserting “\$984,000,000 for each of fiscal years 2009 and 2010, and \$246,000,000 for the period beginning October 1, 2010 and ending December 31, 2010.”;

(F) in subparagraph (F), by striking “and \$133,500,000 for fiscal year 2009” and inserting “\$133,500,000 for each of fiscal years 2009 and 2010, and \$33,375,000 for the period beginning October 1, 2010 and ending December 31, 2010.”;

(G) in subparagraph (G), by striking “and \$465,000,000 for fiscal year 2009” and inserting “\$465,000,000 for each of fiscal years 2009 and 2010, and \$116,250,000 for the period beginning October 1, 2010 and ending December 31, 2010.”;

(H) in subparagraph (H), by striking “and \$164,500,000 for fiscal year 2009” and inserting “\$164,500,000 for each of fiscal years 2009 and 2010, and \$41,125,000 for the period beginning October 1, 2010 and ending December 31, 2010.”;

(I) in subparagraph (I), by striking “and \$92,500,000 for fiscal year 2009” and inserting “\$92,500,000 for each of fiscal years 2009 and 2010, and \$23,125,000 for the period beginning October 1, 2010 and ending December 31, 2010.”;

(J) in subparagraph (J), by striking “and \$26,900,000 for fiscal year 2009” and inserting “\$26,900,000 for each of fiscal years 2009 and 2010, and \$6,725,000 for the period beginning October 1, 2010 and ending December 31, 2010.”;

(K) in subparagraph (K), by striking “and \$3,500,000 for fiscal year 2009” and inserting “\$3,500,000 for each of fiscal years 2009 and 2010, and \$875,000 for the period beginning October 1, 2010 and ending December 31, 2010.”;

(L) in subparagraph (L), by striking “and \$25,000,000 for fiscal year 2009” and inserting “\$25,000,000 for each of fiscal years 2009 and 2010, and \$6,250,000 for the period beginning October 1, 2010 and ending December 31, 2010.”;

(M) in subparagraph (M), by striking “and \$465,000,000 for fiscal year 2009” and inserting “\$465,000,000 for each of fiscal years 2009 and 2010, and \$116,250,000 for the period beginning October 1, 2010 and ending December 31, 2010.”;

(N) in subparagraph (N), by striking “and \$8,800,000 for fiscal year 2009” and inserting “\$8,800,000 for each of fiscal years 2009 and 2010, and \$2,200,000 for the period beginning October 1, 2010 and ending December 31, 2010.”.

(b) CAPITAL INVESTMENT GRANTS.—Section 5338(c) of title 49, United States Code, is amended—

(1) in paragraph (3), by striking “and” at the end;

(2) in paragraph (4), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(5) \$2,000,000,000 for fiscal year 2010; and
 “(6) \$500,000,000 for the period of October 1, 2010 through December 31, 2010.”.

(c) RESEARCH AND UNIVERSITY RESEARCH CENTERS.—Section 5338(d) of title 49, United States Code, is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking “and \$69,750,000 for fiscal year 2009” and inserting “\$69,750,000 for each of fiscal years 2009 and 2010, and \$17,437,500 for the period beginning October 1, 2010, and ending December 31, 2010.”; and

(2) by adding at the end the following:

“(3) ADDITIONAL AUTHORIZATIONS.—

“(A) IN GENERAL.—

“(i) FISCAL YEAR 2010.—Of amounts authorized to be appropriated for fiscal year 2010 under paragraph (1), the Secretary shall allocate for each of the activities and projects described in subparagraphs (A) through (F) of paragraph (1) an amount equal to the amount allocated for fiscal year 2009 under each such subparagraph.

“(ii) OCTOBER 1, 2010 THROUGH DECEMBER 31, 2010.—Of amounts authorized to be appropriated for the period beginning October 1, 2010, through December 31, 2010, under paragraph (1), the Secretary shall allocate for each of the activities and projects described in subparagraphs (A) through (F) of paragraph (1) an amount equal to 25 percent of the amount allocated for fiscal year 2009 under each such subparagraph.

“(B) UNIVERSITY CENTERS PROGRAM.—

“(i) FISCAL YEAR 2010.—Of the amounts allocated under subparagraph (A)(i) for the university centers program under section 5506 for fiscal year 2010, the Secretary shall allocate for each program described in clauses (i) through (iii) and (v) through (viii) of paragraph (2)(A) an amount equal to the amount allocated for fiscal year 2009 under each such clause.

“(ii) OCTOBER 1, 2010 THROUGH DECEMBER 31, 2010.—Of the amounts allocated under subparagraph (A)(i) for the university centers program under section 5506 for the period beginning October 1, 2010, and ending December 31, 2010, the Secretary shall allocate for each program described in clauses (i) through (iii) and (v) through (viii) of paragraph (2)(A) an amount equal to 25 percent of the amount allocated for fiscal year 2009 under each such clause.

“(iii) FUNDING.—If the Secretary determines that a project or activity described in paragraph (2) received sufficient funds in fiscal year 2009, or a previous fiscal year, to carry out the purpose for which the project or activity was authorized, the Secretary may not allocate any amounts under clause (i) or (ii) for the project or activity for fiscal year 2010, or any subsequent fiscal year.”.

(d) ADMINISTRATION.—Section 5338(e) of title 49, United States Code, is amended—

(1) in paragraph (3), by striking “and” at the end;

(2) in paragraph (4), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(5) \$98,911,000 for fiscal year 2010; and

“(6) \$24,727,750 for the period beginning October 1, 2010, and ending December 31, 2010.”.

SEC. 437. AMENDMENTS TO SAFETEA-LU.

(a) CONTRACTED PARATRANSIT PILOT.—Section 3009(i)(1) of the SAFETEA-LU (Public Law 109–59; 119 Stat. 1572) is amended by striking “2009” and inserting “2010, and for the period beginning October 1, 2010, and ending December 31, 2010”.

(b) PUBLIC-PRIVATE PARTNERSHIP PILOT PROGRAM.—Section 3011 of the SAFETEA-LU (49 U.S.C. 5309 note) is amended—

(1) in subsection (c)(5), by striking “2009” and inserting “2010 and the period beginning October 1, 2010, and ending December 31, 2010”; and

(2) in subsection (d), by striking “2009” and inserting “2010, and for the period beginning October 1, 2010, and ending December 31, 2010”.

(c) ELDERLY INDIVIDUALS AND INDIVIDUALS WITH DISABILITIES PILOT PROGRAM.—Section 3012(b)(8) of the SAFETEA-LU (49 U.S.C. 5310 note) is amended by striking “September 30, 2009” and inserting “December 31, 2010”.

(d) OBLIGATION CEILING.—Section 3040 of the SAFETEA-LU (Public Law 109–59; 119 Stat. 1639) is amended—

(1) in paragraph (4), by striking “and” at the end;

(2) in paragraph (5), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(6) \$10,507,752,000 for fiscal year 2010, of which not more than \$8,360,565,000 shall be from the Mass Transit Account; and

“(7) \$2,626,938,000 for the period beginning October 1, 2010, and ending December 31, 2010, of which not more than \$2,090,141,250 shall be from the Mass Transit Account.”.

(e) PROJECT AUTHORIZATIONS FOR NEW FIXED GUIDEWAY CAPITAL PROJECTS.—Section 3043 of the SAFETEA-LU (Public Law 109–59; 119 Stat. 1640) is amended—

(1) in subsection (b), in the matter preceding paragraph (1), by striking “2009” and inserting “2010, and for the period beginning October 1, 2010, and ending December 31, 2010”; and

(2) in subsection (c), in the matter preceding paragraph (1), by striking “2009” and inserting “2010, and for the period beginning October 1, 2010, and ending December 31, 2010”.

(f) ALLOCATIONS FOR NATIONAL RESEARCH AND TECHNOLOGY PROGRAMS.—Section 3046 of the SAFETEA-LU (49 U.S.C. 5338 note) is amended—

(1) in subsection (b), by inserting “or period” after “fiscal year”; and

(2) by adding at the end the following:

“(c) ADDITIONAL APPROPRIATIONS.—The Secretary shall allocate amounts appropriated pursuant to section 5338(d) of title 49, United States Code, for national research and technology programs under sections 5312, 5314, and 5322 of such title—

“(1) for fiscal year 2010, in amounts equal to the amounts allocated for fiscal year 2009 under each of paragraphs (2), (3), (5), (6), and (8) through (25) of subsection (a); and

“(2) for the period beginning October 1, 2010, and ending December 31, 2010, in amounts equal to 25 percent of the amounts allocated for fiscal

year 2009 under each of paragraphs (2), (3), (5), (6), and (8) through (25) of subsection (a).

“(d) FUNDING.—If the Secretary determines that a project or activity described in subsection (a) received sufficient funds in fiscal year 2009, or a previous fiscal year, to carry out the purpose for which the project or activity was authorized, the Secretary may not allocate any amounts under subsection (c) for the project or activity for fiscal year 2010, or any subsequent fiscal year.”.

Subtitle D—Revenue Provisions

SEC. 441. REPEAL OF PROVISION PROHIBITING THE CREDITING OF INTEREST TO THE HIGHWAY TRUST FUND.

(a) IN GENERAL.—Paragraph (1) of section 9503(f) is amended by striking subparagraph (B).

(b) CONFORMING AMENDMENTS.—Such paragraph, as amended by paragraph (1), is further amended—

(1) by striking “, and” at the end of subparagraph (A) and inserting a period; and

(2) by striking “1998” in the matter preceding subparagraph (A) and all that follows through “the opening balance” and inserting “1998, the opening balance”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this title.

SEC. 442. RESTORATION OF CERTAIN FOREGONE INTEREST TO HIGHWAY TRUST FUND.

(a) IN GENERAL.—Paragraph (2) of section 9503(f) is amended to read as follows:

“(2) RESTORATION OF FOREGONE INTEREST.—Out of money in the Treasury not otherwise appropriated, there is hereby appropriated—

“(A) \$14,700,000,000 to the Highway Account (as defined in subsection (e)(5)(B)) in the Highway Trust Fund; and

“(B) \$4,800,000,000 to the Mass Transit Account in the Highway Trust Fund.”.

(b) CONFORMING AMENDMENT.—Paragraph (1) of section 9503(e) is amended by striking “this subsection” and inserting “this section”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 443. TREATMENT OF CERTAIN AMOUNTS APPROPRIATED TO HIGHWAY TRUST FUND.

(a) IN GENERAL.—Section 9503(f), as amended by this Act, is amended by adding at the end the following new paragraph:

“(4) TREATMENT OF APPROPRIATED AMOUNTS.—Any amount appropriated under this subsection to the Highway Trust Fund shall remain available without fiscal year limitation.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act.

SEC. 444. TERMINATION OF TRANSFERS FROM HIGHWAY TRUST FUND FOR CERTAIN REPAYMENTS AND CREDITS.

(a) IN GENERAL.—Section 9503(c) is amended by striking paragraph (2) and by redesignating paragraphs (3), (4), (5), and (6) as paragraphs (2), (3), (4), and (5), respectively.

(b) CONFORMING AMENDMENTS.—

(1) Section 9502(a) is amended by striking “section 9503(c)(7)” and inserting “section 9503(c)(5)”.

(2) Section 9503(b)(4)(D) is amended by striking “paragraph (4)(D) or (5)(B)” and inserting “paragraph (3)(D) or (4)(B)”.

(3) Paragraph (2) of section 9503(c), as redesignated by subsection (a), is amended by adding at the end the following new sentence: “The amounts payable from the Highway Trust Fund under the preceding sentence shall be determined by taking into account only the portion of the taxes which are deposited into the Highway Trust Fund.”.

(4) Section 9503(e)(5)(A) is amended by striking “(2), (3), and (4)” and inserting “(2) and (3)”.

(5) Section 9504(a) is amended by striking “section 9503(c)(4), section 9503(c)(5)” and inserting “section 9503(c)(3), section 9503(c)(4)”.

(6) Section 9504(b)(2) is amended by striking “section 9503(c)(5)” and inserting “section 9503(c)(4)”.

(7) Section 9504(e) is amended by striking “section 9503(c)(4)” and inserting section “9503(c)(3)”.

(c) EFFECTIVE DATE.—The amendment made by this section shall apply to transfers relating to amounts paid and credits allowed after the date of the enactment of this Act.

SEC. 445. EXTENSION OF AUTHORITY FOR EXPENDITURES.

(a) HIGHWAYS TRUST FUND.—

(1) HIGHWAY ACCOUNT.—Paragraph (1) of section 9503(c) is amended—

(A) by striking “September 30, 2009 (October 1, 2009)” and inserting “December 31, 2010 (January 1, 2011)”; and

(B) by striking “under” and all that follows and inserting “under the Surface Transportation Extension Act of 2010 or any other provision of law which was referred to in this paragraph before the date of the enactment of such Act (as such Act and provisions of law are in effect on the date of the enactment of such Act)”.

(2) MASS TRANSIT ACCOUNT.—Paragraph (3) of section 9503(e) is amended—

(A) by striking “October 1, 2009” and inserting “January 1, 2011”; and

(B) by striking “in accordance with” and all that follows and inserting “in accordance with the Surface Transportation Extension Act of 2010 or any other provision of law which was referred to in this paragraph before the date of the enactment of such Act (as such Act and provisions of law are in effect on the date of the enactment of such Act)”.

(3) EXCEPTION TO LIMITATION ON TRANSFERS.—Subparagraph (B) of section 9503(b)(6) is amended by striking “September 30, 2009 (October 1, 2009)” and inserting “December 31, 2010 (January 1, 2011)”.

(b) SPORT FISH RESTORATION AND BOATING TRUST FUND.—

(1) IN GENERAL.—Paragraph (2) of section 9504(b) is amended—

(A) by striking “(as in effect” in subparagraph (A) and all that follows in such subparagraph and inserting “(as in effect on the date of the enactment of the Surface Transportation Extension Act of 2010),”;

(B) by striking “(as in effect” in subparagraph (B) and all that follows in such subparagraph and inserting “(as in effect on the date of the enactment of the Surface Transportation Extension Act of 2010), and”;

(C) by striking “(as in effect” in subparagraph (C) and all that follows in such subparagraph and inserting “(as in effect on the date of the enactment of the Surface Transportation Extension Act of 2010).”.

(2) EXCEPTION TO LIMITATION ON TRANSFERS.—Paragraph (2) of section 9504(d) is amended by striking “October 1, 2009” and inserting “January 1, 2011”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on September 30, 2009.

SEC. 446. LEVEL OF OBLIGATION LIMITATIONS.

(a) HIGHWAY CATEGORY.—Section 8003(a) of the SAFETEA-LU (2 U.S.C. 901 note; 119 Stat. 1917) is amended—

(1) in paragraph (4), by striking “and” at the end;

(2) in paragraph (5), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(6) for the period beginning on October 1, 2009, and ending on September 30, 2010, \$42,469,970,178.

“(7) for the period beginning on October 1, 2010, and ending on December 31, 2010, \$10,617,492,545.”.

(b) MASS TRANSIT CATEGORY.—Section 8003(b) of the SAFETEA-LU (2 U.S.C. 901 note; 119 Stat. 1917) is amended—

(1) in paragraph (4), by striking “and” at the end;

(2) in paragraph (5), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(6) for the period beginning on October 1, 2009, and ending on December 31, 2010, \$10,338,065,000.

“(7) for the period beginning on October 1, 2010, and ending on December 31, 2010, \$2,584,516,250.”.

(c) **TREATMENT OF FUNDS.**—No adjustment pursuant to section 110 of title 23, United States Code, shall be made for fiscal year 2010 or fiscal year 2011.

TITLE V—OFFSET PROVISIONS

Subtitle A—Foreign Account Tax Compliance

PART I—INCREASED DISCLOSURE OF BENEFICIAL OWNERS

SEC. 501. REPORTING ON CERTAIN FOREIGN ACCOUNTS.

(a) **IN GENERAL.**—The Internal Revenue Code of 1986 is amended by inserting after chapter 3 the following new chapter:

“CHAPTER 4—TAXES TO ENFORCE REPORTING ON CERTAIN FOREIGN ACCOUNTS

“Sec. 1471. Withholdable payments to foreign financial institutions.

“Sec. 1472. Withholdable payments to other foreign entities.

“Sec. 1473. Definitions.

“Sec. 1474. Special rules.

“SEC. 1471. WITHHOLDABLE PAYMENTS TO FOREIGN FINANCIAL INSTITUTIONS.

“(a) **IN GENERAL.**—In the case of any withholdable payment to a foreign financial institution which does not meet the requirements of subsection (b), the withholding agent with respect to such payment shall deduct and withhold from such payment a tax equal to 30 percent of the amount of such payment.

“(b) **REPORTING REQUIREMENTS, ETC.**—

“(1) **IN GENERAL.**—The requirements of this subsection are met with respect to any foreign financial institution if an agreement is in effect between such institution and the Secretary under which such institution agrees—

“(A) to obtain such information regarding each holder of each account maintained by such institution as is necessary to determine which (if any) of such accounts are United States accounts,

“(B) to comply with such verification and due diligence procedures as the Secretary may require with respect to the identification of United States accounts,

“(C) in the case of any United States account maintained by such institution, to report on an annual basis the information described in subsection (c) with respect to such account,

“(D) to deduct and withhold a tax equal to 30 percent of—

“(i) any passthru payment which is made by such institution to a recalcitrant account holder or another foreign financial institution which does not meet the requirements of this subsection, and

“(ii) in the case of any passthru payment which is made by such institution to a foreign financial institution which has in effect an election under paragraph (3) with respect to such payment, so much of such payment as is allocable to accounts held by recalcitrant account holders or foreign financial institutions which do not meet the requirements of this subsection,

“(E) to comply with requests by the Secretary for additional information with respect to any United States account maintained by such institution, and

“(F) in any case in which any foreign law would (but for a waiver described in clause (i)) prevent the reporting of any information referred to in this subsection or subsection (c) with respect to any United States account maintained by such institution—

“(i) to attempt to obtain a valid and effective waiver of such law from each holder of such account, and

“(ii) if a waiver described in clause (i) is not obtained from each such holder within a reasonable period of time, to close such account.

Any agreement entered into under this subsection may be terminated by the Secretary upon a determination by the Secretary that the foreign financial institution is out of compliance with such agreement.

“(2) **FINANCIAL INSTITUTIONS DEEMED TO MEET REQUIREMENTS IN CERTAIN CASES.**—A foreign financial institution may be treated by the Secretary as meeting the requirements of this subsection if—

“(A) such institution—

“(i) complies with such procedures as the Secretary may prescribe to ensure that such institution does not maintain United States accounts, and

“(ii) meets such other requirements as the Secretary may prescribe with respect to accounts of other foreign financial institutions maintained by such institution, or

“(B) such institution is a member of a class of institutions with respect to which the Secretary has determined that the application of this section is not necessary to carry out the purposes of this section.

“(3) **ELECTION TO BE WITHHELD UPON RATHER THAN WITHHOLD ON PAYMENTS TO RECALCITRANT ACCOUNT HOLDERS AND NONPARTICIPATING FOREIGN FINANCIAL INSTITUTIONS.**—In the case of a foreign financial institution which meets the requirements of this subsection and such other requirements as the Secretary may provide and which elects the application of this paragraph—

“(A) the requirements of paragraph (1)(D) shall not apply,

“(B) the withholding tax imposed under subsection (a) shall apply with respect to any withholdable payment to such institution to the extent such payment is allocable to accounts held by recalcitrant account holders or foreign financial institutions which do not meet the requirements of this subsection, and

“(C) the agreement described in paragraph (1) shall—

“(i) require such institution to notify the withholding agent with respect to each such payment of the institution's election under this paragraph and such other information as may be necessary for the withholding agent to determine the appropriate amount to deduct and withhold from such payment, and

“(ii) include a waiver of any right under any treaty of the United States with respect to any amount deducted and withheld pursuant to an election under this paragraph.

To the extent provided by the Secretary, the election under this paragraph may be made with respect to certain classes or types of accounts of the foreign financial institution.

“(c) **INFORMATION REQUIRED TO BE REPORTED ON UNITED STATES ACCOUNTS.**—

“(1) **IN GENERAL.**—The agreement described in subsection (b) shall require the foreign financial institution to report the following with respect to each United States account maintained by such institution:

“(A) The name, address, and TIN of each account holder which is a specified United States person and, in the case of any account holder which is a United States owned foreign entity, the name, address, and TIN of each substantial United States owner of such entity.

“(B) The account number.

“(C) The account balance or value (determined at such time and in such manner as the Secretary may provide).

“(D) Except to the extent provided by the Secretary, the gross receipts and gross withdrawals or payments from the account (determined for such period and in such manner as the Secretary may provide).

“(2) **ELECTION TO BE SUBJECT TO SAME REPORTING AS UNITED STATES FINANCIAL INSTITU-**

TIONS.—In the case of a foreign financial institution which elects the application of this paragraph—

“(A) subparagraphs (C) and (D) of paragraph (1) shall not apply, and

“(B) the agreement described in subsection (b) shall require such foreign financial institution to report such information with respect to each United States account maintained by such institution as such institution would be required to report under sections 6041, 6042, 6045, and 6049 if—

“(i) such institution were a United States person, and

“(ii) each holder of such account which is a specified United States person or United States owned foreign entity were a natural person and citizen of the United States.

An election under this paragraph shall be made at such time, in such manner, and subject to such conditions as the Secretary may provide.

“(3) **SEPARATE REQUIREMENTS FOR QUALIFIED INTERMEDIARIES.**—In the case of a foreign financial institution which is treated as a qualified intermediary by the Secretary for purposes of section 1441 and the regulations issued thereunder, the requirements of this section shall be in addition to any reporting or other requirements imposed by the Secretary for purposes of such treatment.

“(d) **DEFINITIONS.**—For purposes of this section—

“(1) **UNITED STATES ACCOUNT.**—

“(A) **IN GENERAL.**—The term ‘United States account’ means any financial account which is held by one or more specified United States persons or United States owned foreign entities.

“(B) **EXCEPTION FOR CERTAIN ACCOUNTS HELD BY INDIVIDUALS.**—Unless the foreign financial institution elects to not have this subparagraph apply, such term shall not include any depository account maintained by such financial institution if—

“(i) each holder of such account is a natural person, and

“(ii) with respect to each holder of such account, the aggregate value of all depository accounts held (in whole or in part) by such holder and maintained by the same financial institution which maintains such account does not exceed \$50,000.

To the extent provided by the Secretary, financial institutions which are members of the same expanded affiliated group shall be treated for purposes of clause (ii) as a single financial institution.

“(C) **ELIMINATION OF DUPLICATIVE REPORTING REQUIREMENTS.**—Such term shall not include any financial account in a foreign financial institution if—

“(i) such account is held by another financial institution which meets the requirements of subsection (b), or

“(ii) the holder of such account is otherwise subject to information reporting requirements which the Secretary determines would make the reporting required by this section with respect to United States accounts duplicative.

“(2) **FINANCIAL ACCOUNT.**—Except as otherwise provided by the Secretary, the term ‘financial account’ means, with respect to any financial institution—

“(A) any depository account maintained by such financial institution,

“(B) any custodial account maintained by such financial institution, and

“(C) any equity or debt interest in such financial institution (other than interests which are regularly traded on an established securities market).

Any equity or debt interest which constitutes a financial account under subparagraph (C) with respect to any financial institution shall be treated for purposes of this section as maintained by such financial institution.

“(3) **UNITED STATES OWNED FOREIGN ENTITY.**—The term ‘United States owned foreign entity’

means any foreign entity which has one or more substantial United States owners.

“(4) **FOREIGN FINANCIAL INSTITUTION.**—The term ‘foreign financial institution’ means any financial institution which is a foreign entity. Except as otherwise provided by the Secretary, such term shall not include a financial institution which is organized under the laws of any possession of the United States.

“(5) **FINANCIAL INSTITUTION.**—Except as otherwise provided by the Secretary, the term ‘financial institution’ means any entity that—

“(A) accepts deposits in the ordinary course of a banking or similar business,

“(B) as a substantial portion of its business, holds financial assets for the account of others, or

“(C) is engaged (or holding itself out as being engaged) primarily in the business of investing, reinvesting, or trading in securities (as defined in section 475(c)(2) without regard to the last sentence thereof), partnership interests, commodities (as defined in section 475(e)(2)), or any interest (including a futures or forward contract or option) in such securities, partnership interests, or commodities.

“(6) **RECALCITRANT ACCOUNT HOLDER.**—The term ‘recalcitrant account holder’ means any account holder which—

“(A) fails to comply with reasonable requests for the information referred to in subsection (b)(1)(A) or (c)(1)(A), or

“(B) fails to provide a waiver described in subsection (b)(1)(F) upon request.

“(7) **PASSTHRU PAYMENT.**—The term ‘passthru payment’ means any withholdable payment or other payment to the extent attributable to a withholdable payment.

“(e) **AFFILIATED GROUPS.**—

“(1) **IN GENERAL.**—The requirements of subsections (b) and (c)(1) shall apply—

“(A) with respect to United States accounts maintained by the foreign financial institution, and

“(B) except as otherwise provided by the Secretary, with respect to United States accounts maintained by each other foreign financial institution (other than any foreign financial institution which meets the requirements of subsection (b)) which is a member of the same expanded affiliated group as such foreign financial institution.

“(2) **EXPANDED AFFILIATED GROUP.**—For purposes of this section, the term ‘expanded affiliated group’ means an affiliated group as defined in section 1504(a), determined—

“(A) by substituting ‘more than 50 percent’ for ‘at least 80 percent’ each place it appears, and

“(B) without regard to paragraphs (2) and (3) of section 1504(b).

A partnership or any other entity (other than a corporation) shall be treated as a member of an expanded affiliated group if such entity is controlled (within the meaning of section 954(d)(3)) by members of such group (including any entity treated as a member of such group by reason of this sentence).

“(f) **EXCEPTION FOR CERTAIN PAYMENTS.**—Subsection (a) shall not apply to any payment to the extent that the beneficial owner of such payment is—

“(1) any foreign government, any political subdivision of a foreign government, or any wholly owned agency or instrumentality of any one or more of the foregoing,

“(2) any international organization or any wholly owned agency or instrumentality thereof,

“(3) any foreign central bank of issue, or

“(4) any other class of persons identified by the Secretary for purposes of this subsection as posing a low risk of tax evasion.

“SEC. 1472. WITHHOLDABLE PAYMENTS TO OTHER FOREIGN ENTITIES.

“(a) **IN GENERAL.**—In the case of any withholdable payment to a non-financial foreign entity, if—

“(1) the beneficial owner of such payment is such entity or any other non-financial foreign entity, and

“(2) the requirements of subsection (b) are not met with respect to such beneficial owner,

then the withholding agent with respect to such payment shall deduct and withhold from such payment a tax equal to 30 percent of the amount of such payment.

“(b) **REQUIREMENTS FOR WAIVER OF WITHHOLDING.**—The requirements of this subsection are met with respect to the beneficial owner of a payment if—

“(1) such beneficial owner or the payee provides the withholding agent with either—

“(A) a certification that such beneficial owner does not have any substantial United States owners, or

“(B) the name, address, and TIN of each substantial United States owner of such beneficial owner,

“(2) the withholding agent does not know, or have reason to know, that any information provided under paragraph (1) is incorrect, and

“(3) the withholding agent reports the information provided under paragraph (1)(B) to the Secretary in such manner as the Secretary may provide.

“(c) **EXCEPTIONS.**—Subsection (a) shall not apply to—

“(1) except as otherwise provided by the Secretary, any payment beneficially owned by—

“(A) any corporation the stock of which is regularly traded on an established securities market,

“(B) any corporation which is a member of the same expanded affiliated group (as defined in section 1471(e)(2) without regard to the last sentence thereof) as a corporation described in subparagraph (A),

“(C) any entity which is organized under the laws of a possession of the United States and which is wholly owned by one or more bona fide residents (as defined in section 937(a)) of such possession,

“(D) any foreign government, any political subdivision of a foreign government, or any wholly owned agency or instrumentality of any one or more of the foregoing,

“(E) any international organization or any wholly owned agency or instrumentality thereof,

“(F) any foreign central bank of issue, or

“(G) any other class of persons identified by the Secretary for purposes of this subsection, and

“(2) any class of payments identified by the Secretary for purposes of this subsection as posing a low risk of tax evasion.

“(d) **NON-FINANCIAL FOREIGN ENTITY.**—For purposes of this section, the term ‘non-financial foreign entity’ means any foreign entity which is not a financial institution (as defined in section 1471(d)(5)).

“SEC. 1473. DEFINITIONS.

“For purposes of this chapter—

“(1) **WITHHOLDABLE PAYMENT.**—Except as otherwise provided by the Secretary—

“(A) **IN GENERAL.**—The term ‘withholdable payment’ means—

“(i) any payment of interest (including any original issue discount), dividends, rents, salaries, wages, premiums, annuities, compensations, remunerations, emoluments, and other fixed or determinable annual or periodical gains, profits, and income, if such payment is from sources within the United States, and

“(ii) any gross proceeds from the sale or other disposition of any property of a type which can produce interest or dividends from sources within the United States.

“(B) **EXCEPTION FOR INCOME CONNECTED WITH UNITED STATES BUSINESS.**—Such term shall not include any item of income which is taken into account under section 871(b)(1) or 882(a)(1) for the taxable year.

“(C) **SPECIAL RULE FOR SOURCING INTEREST PAID BY FOREIGN BRANCHES OF DOMESTIC FINAN-**

CIAL INSTITUTIONS.—Subparagraph (B) of section 861(a)(1) shall not apply.

“(2) **SUBSTANTIAL UNITED STATES OWNER.**—

“(A) **IN GENERAL.**—The term ‘substantial United States owner’ means—

“(i) with respect to any corporation, any specified United States person which owns, directly or indirectly, more than 10 percent of the stock of such corporation (by vote or value),

“(ii) with respect to any partnership, any specified United States person which owns, directly or indirectly, more than 10 percent of the profits interests or capital interests in such partnership, and

“(iii) in the case of a trust—

“(I) any specified United States person treated as an owner of any portion of such trust under subpart E of part I of subchapter J of chapter 1, and

“(II) to the extent provided by the Secretary in regulations or other guidance, any specified United States person which holds, directly or indirectly, more than 10 percent of the beneficial interests of such trust.

“(B) **SPECIAL RULE FOR INVESTMENT VEHICLES.**—In the case of any financial institution described in section 1471(d)(5)(C), clauses (i), (ii), and (iii) of subparagraph (A) shall be applied by substituting ‘0 percent’ for ‘10 percent’.

“(3) **SPECIFIED UNITED STATES PERSON.**—Except as otherwise provided by the Secretary, the term ‘specified United States person’ means any United States person other than—

“(A) any corporation the stock of which is regularly traded on an established securities market,

“(B) any corporation which is a member of the same expanded affiliated group (as defined in section 1471(e)(2) without regard to the last sentence thereof) as a corporation the stock of which is regularly traded on an established securities market,

“(C) any organization exempt from taxation under section 501(a) or an individual retirement plan,

“(D) the United States or any wholly owned agency or instrumentality thereof,

“(E) any State, the District of Columbia, any possession of the United States, any political subdivision of any of the foregoing, or any wholly owned agency or instrumentality of any one or more of the foregoing,

“(F) any bank (as defined in section 581),

“(G) any real estate investment trust (as defined in section 856),

“(H) any regulated investment company (as defined in section 851),

“(I) any common trust fund (as defined in section 584(a)), and

“(J) any trust which—

“(i) is exempt from tax under section 664(c), or

“(ii) is described in section 4947(a)(1).

“(4) **WITHHOLDING AGENT.**—The term ‘withholding agent’ means all persons, in whatever capacity acting, having the control, receipt, custody, disposal, or payment of any withholdable payment.

“(5) **FOREIGN ENTITY.**—The term ‘foreign entity’ means any entity which is not a United States person.

“SEC. 1474. SPECIAL RULES.

“(a) **LIABILITY FOR WITHHELD TAX.**—Every person required to deduct and withhold any tax under this chapter is hereby made liable for such tax and is hereby indemnified against the claims and demands of any person for the amount of any payments made in accordance with the provisions of this chapter.

“(b) **CREDITS AND REFUNDS.**—

“(1) **IN GENERAL.**—Except as provided in paragraph (2), the determination of whether any tax deducted and withheld under this chapter results in an overpayment by the beneficial owner of the payment to which such tax is attributable shall be made as if such tax had been deducted and withheld under subchapter A of chapter 3.

“(2) **SPECIAL RULE WHERE FOREIGN FINANCIAL INSTITUTION IS BENEFICIAL OWNER OF PAYMENT.**—

“(A) IN GENERAL.—In the case of any tax properly deducted and withheld under section 1471 from a specified financial institution payment—

“(i) if the foreign financial institution referred to in subparagraph (B) with respect to such payment is entitled to a reduced rate of tax with respect to such payment by reason of any treaty obligation of the United States—

“(I) the amount of any credit or refund with respect to such tax shall not exceed the amount of credit or refund attributable to such reduction in rate, and

“(II) no interest shall be allowed or paid with respect to such credit or refund, and

“(ii) if such foreign financial institution is not so entitled, no credit or refund shall be allowed or paid with respect to such tax.

“(B) SPECIFIED FINANCIAL INSTITUTION PAYMENT.—The term ‘specified financial institution payment’ means any payment if the beneficial owner of such payment is a foreign financial institution.

“(3) REQUIREMENT TO IDENTIFY SUBSTANTIAL UNITED STATES OWNERS.—No credit or refund shall be allowed or paid with respect to any tax properly deducted and withheld under this chapter unless the beneficial owner of the payment provides the Secretary such information as the Secretary may require to determine whether such beneficial owner is a United States owned foreign entity (as defined in section 1471(d)(3)) and the identity of any substantial United States owners of such entity.

“(c) CONFIDENTIALITY OF INFORMATION.—

“(1) IN GENERAL.—For purposes of this chapter, rules similar to the rules of section 3406(f) shall apply.

“(2) DISCLOSURE OF LIST OF PARTICIPATING FOREIGN FINANCIAL INSTITUTIONS PERMITTED.—The identity of a foreign financial institution which meets the requirements of section 1471(b) shall not be treated as return information for purposes of section 6103.

“(d) COORDINATION WITH OTHER WITHHOLDING PROVISIONS.—The Secretary shall provide for the coordination of this chapter with other withholding provisions under this title, including providing for the proper crediting of amounts deducted and withheld under this chapter against amounts required to be deducted and withheld under such other provisions.

“(e) TREATMENT OF WITHHOLDING UNDER AGREEMENTS.—Any tax deducted and withheld pursuant to an agreement described in section 1471(b) shall be treated for purposes of this title as a tax deducted and withheld by a withholding agent under section 1471(a).

“(f) REGULATIONS.—The Secretary shall prescribe such regulations or other guidance as may be necessary or appropriate to carry out the purposes of, and prevent the avoidance of, this chapter.”

(b) SPECIAL RULE FOR INTEREST ON OVERPAYMENTS.—Subsection (e) of section 6611 is amended by adding at the end the following new paragraph:

“(4) CERTAIN WITHHOLDING TAXES.—In the case of any overpayment resulting from tax deducted and withheld under chapter 3 or 4, paragraphs (1), (2), and (3) shall be applied by substituting ‘180 days’ for ‘45 days’ each place it appears.”

(c) CONFORMING AMENDMENTS.—

(1) Section 6414 is amended by inserting “or 4” after “chapter 3”.

(2) Paragraph (1) of section 6501(b) is amended by inserting “4,” after “chapter 3.”

(3) Paragraph (2) of section 6501(b) is amended—

(A) by inserting “4,” after “chapter 3,” in the text thereof, and

(B) by striking “TAXES AND TAX IMPOSED BY CHAPTER 3” in the heading thereof and inserting “AND WITHHOLDING TAXES”.

(4) Paragraph (3) of section 6513(b) is amended—

(A) by inserting “or 4” after “chapter 3”, and
(B) by inserting “or 1474(b)” after “section 1462”.

(5) Subsection (c) of section 6513 is amended by inserting “4,” after “chapter 3.”

(6) Paragraph (1) of section 6724(d) is amended by inserting “under chapter 4 or” after “filed with the Secretary” in the last sentence thereof.

(7) Paragraph (2) of section 6724(d) is amended by inserting “or 4” after “chapter 3”.

(8) The table of chapters of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

“CHAPTER 4. TAXES TO ENFORCE REPORTING ON CERTAIN FOREIGN ACCOUNTS.”.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to payments made after December 31, 2012.

(2) GRANDFATHERED TREATMENT OF OUTSTANDING OBLIGATIONS.—The amendments made by this section shall not require any amount to be deducted or withheld from any payment under any obligation outstanding on the date which is 2 years after the date of the enactment of this Act or from the gross proceeds from any disposition of such an obligation.

(3) INTEREST ON OVERPAYMENTS.—The amendment made by subsection (b) shall apply—

(A) in the case of such amendment’s application to paragraph (1) of section 6611(e) of the Internal Revenue Code of 1986, to returns the due date for which (determined without regard to extensions) is after the date of the enactment of this Act,

(B) in the case of such amendment’s application to paragraph (2) of such section, to claims for credit or refund of any overpayment filed after the date of the enactment of this Act (regardless of the taxable period to which such refund relates), and

(C) in the case of such amendment’s application to paragraph (3) of such section, to refunds paid after the date of the enactment of this Act (regardless of the taxable period to which such refund relates).

SEC. 502. REPEAL OF CERTAIN FOREIGN EXCEPTIONS TO REGISTERED BOND REQUIREMENTS.

(a) REPEAL OF EXCEPTION TO DENIAL OF DEDUCTION FOR INTEREST ON NON-REGISTERED BONDS.—

(1) IN GENERAL.—Paragraph (2) of section 163(f) is amended by striking subparagraph (B) and by redesignating subparagraph (C) as subparagraph (B).

(2) CONFORMING AMENDMENTS.—

(A) Paragraph (2) of section 149(a) is amended by inserting “or” at the end of subparagraph (A), by striking “, or” at the end of subparagraph (B) and inserting a period, and by striking subparagraph (C).

(B) Subparagraph (A) of section 163(f)(2) is amended by inserting “or” at the end of clause (ii), by striking “, or” at the end of clause (iii) and inserting a period, and by striking clause (iv).

(C) Subparagraph (B) of section 163(f)(2), as redesignated by paragraph (1), is amended—

(i) by striking “, and subparagraph (B),” in the matter preceding clause (i), and

(ii) by amending clause (i) to read as follows:

“(i) such obligation is of a type which the Secretary has determined by regulations to be used frequently in avoiding Federal taxes, and”.

(D) Sections 165(j)(2)(A) and 1287(b)(1) are each amended by striking “except that clause (iv) of subparagraph (A), and subparagraph (B), of such section shall not apply”.

(b) REPEAL OF TREATMENT AS PORTFOLIO DEBT.—

(1) IN GENERAL.—Paragraph (2) of section 871(h) is amended to read as follows:

“(2) PORTFOLIO INTEREST.—For purposes of this subsection, the term ‘portfolio interest’

means any interest (including original issue discount) which—

“(A) would be subject to tax under subsection (a) but for this subsection, and

“(B) is paid on an obligation—

“(i) which is in registered form, and

“(ii) with respect to which—

“(I) the United States person who would otherwise be required to deduct and withhold tax from such interest under section 1441(a) receives a statement (which meets the requirements of paragraph (5)) that the beneficial owner of the obligation is not a United States person, or

“(II) the Secretary has determined that such a statement is not required in order to carry out the purposes of this subsection.”.

(2) CONFORMING AMENDMENTS.—

(A) Section 871(h)(3)(A) is amended by striking “subparagraph (A) or (B) of”.

(B) Paragraph (2) of section 881(c) is amended to read as follows:

“(2) PORTFOLIO INTEREST.—For purposes of this subsection, the term ‘portfolio interest’ means any interest (including original issue discount) which—

“(A) would be subject to tax under subsection (a) but for this subsection, and

“(B) is paid on an obligation—

“(i) which is in registered form, and

“(ii) with respect to which—

“(I) the person who would otherwise be required to deduct and withhold tax from such interest under section 1442(a) receives a statement which meets the requirements of section 871(h)(5) that the beneficial owner of the obligation is not a United States person, or

“(II) the Secretary has determined that such a statement is not required in order to carry out the purposes of this subsection.”.

(c) DEMATERIALIZED BOOK ENTRY SYSTEMS TREATED AS REGISTERED FORM.—Paragraph (3) of section 163(f) is amended by inserting “, except that a dematerialized book entry system or other book entry system specified by the Secretary shall be treated as a book entry system described in such section” before the period at the end.

(d) REPEAL OF EXCEPTION TO REQUIREMENT THAT TREASURY OBLIGATIONS BE IN REGISTERED FORM.—

(1) IN GENERAL.—Subsection (g) of section 3121 of title 31, United States Code, is amended by striking paragraph (2) and by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively.

(2) CONFORMING AMENDMENTS.—Paragraph (1) of section 3121(g) of such title is amended—

(A) by adding “or” at the end of subparagraph (A),

(B) by striking “; or” at the end of subparagraph (B) and inserting a period, and

(C) by striking subparagraph (C).

(e) PRESERVATION OF EXCEPTION FOR EXCISE TAX PURPOSES.—Paragraph (1) of section 4701(b) is amended to read as follows:

“(1) REGISTRATION-REQUIRED OBLIGATION.—

“(A) IN GENERAL.—The term ‘registration-required obligation’ has the same meaning as when used in section 163(f), except that such term shall not include any obligation which—

“(i) is required to be registered under section 149(a), or

“(ii) is described in subparagraph (B).

“(B) CERTAIN OBLIGATIONS NOT INCLUDED.—An obligation is described in this subparagraph if—

“(i) there are arrangements reasonably designed to ensure that such obligation will be sold (or resold in connection with the original issue) only to a person who is not a United States person,

“(ii) interest on such obligation is payable only outside the United States and its possessions, and

“(iii) on the face of such obligation there is a statement that any United States person who holds such obligation will be subject to limitations under the United States income tax laws.”.

(f) **EFFECTIVE DATE.**—The amendments made by this section shall apply to obligations issued after the date which is 2 years after the date of the enactment of this Act.

PART II—UNDER REPORTING WITH RESPECT TO FOREIGN ASSETS

SEC. 511. DISCLOSURE OF INFORMATION WITH RESPECT TO FOREIGN FINANCIAL ASSETS.

(a) **IN GENERAL.**—Subpart A of part III of subchapter A of chapter 61 is amended by inserting after section 6038C the following new section:

“SEC. 6038D. INFORMATION WITH RESPECT TO FOREIGN FINANCIAL ASSETS.

“(a) **IN GENERAL.**—Any individual who, during any taxable year, holds any interest in a specified foreign financial asset shall attach to such person's return of tax imposed by subtitle A for such taxable year the information described in subsection (c) with respect to each such asset if the aggregate value of all such assets exceeds \$50,000 (or such higher dollar amount as the Secretary may prescribe).

“(b) **SPECIFIED FOREIGN FINANCIAL ASSETS.**—For purposes of this section, the term ‘specified foreign financial asset’ means—

“(1) any financial account (as defined in section 1471(d)(2)) maintained by a foreign financial institution (as defined in section 1471(d)(4)), and

“(2) any of the following assets which are not held in an account maintained by a financial institution (as defined in section 1471(d)(5))—

“(A) any stock or security issued by a person other than a United States person,

“(B) any financial instrument or contract held for investment that has an issuer or counterparty which is other than a United States person, and

“(C) any interest in a foreign entity (as defined in section 1473).

“(c) **REQUIRED INFORMATION.**—The information described in this subsection with respect to any asset is:

“(1) In the case of any account, the name and address of the financial institution in which such account is maintained and the number of such account.

“(2) In the case of any stock or security, the name and address of the issuer and such information as is necessary to identify the class or issue of which such stock or security is a part.

“(3) In the case of any other instrument, contract, or interest—

“(A) such information as is necessary to identify such instrument, contract, or interest, and

“(B) the names and addresses of all issuers and counterparties with respect to such instrument, contract, or interest.

“(4) The maximum value of the asset during the taxable year.

“(d) **PENALTY FOR FAILURE TO DISCLOSE.**—

“(1) **IN GENERAL.**—If any individual fails to furnish the information described in subsection (c) with respect to any taxable year at the time and in the manner described in subsection (a), such person shall pay a penalty of \$10,000.

“(2) **INCREASE IN PENALTY WHERE FAILURE CONTINUES AFTER NOTIFICATION.**—If any failure described in paragraph (1) continues for more than 90 days after the day on which the Secretary mails notice of such failure to the individual, such individual shall pay a penalty (in addition to the penalties under paragraph (1)) of \$10,000 for each 30-day period (or fraction thereof) during which such failure continues after the expiration of such 90-day period. The penalty imposed under this paragraph with respect to any failure shall not exceed \$50,000.

“(e) **PRESUMPTION THAT VALUE OF SPECIFIED FOREIGN FINANCIAL ASSETS EXCEEDS DOLLAR THRESHOLD.**—If—

“(1) the Secretary determines that an individual has an interest in one or more specified foreign financial assets, and

“(2) such individual does not provide sufficient information to demonstrate the aggregate value of such assets,

then the aggregate value of such assets shall be treated as being in excess of \$50,000 (or such higher dollar amount as the Secretary prescribes for purposes of subsection (a)) for purposes of assessing the penalties imposed under this section.

“(f) **APPLICATION TO CERTAIN ENTITIES.**—To the extent provided by the Secretary in regulations or other guidance, the provisions of this section shall apply to any domestic entity which is formed or availed of for purposes of holding, directly or indirectly, specified foreign financial assets, in the same manner as if such entity were an individual.

“(g) **REASONABLE CAUSE EXCEPTION.**—No penalty shall be imposed by this section on any failure which is shown to be due to reasonable cause and not due to willful neglect. The fact that a foreign jurisdiction would impose a civil or criminal penalty on the taxpayer (or any other person) for disclosing the required information is not reasonable cause.

“(h) **REGULATIONS.**—The Secretary shall prescribe such regulations or other guidance as may be necessary or appropriate to carry out the purposes of this section, including regulations or other guidance which provide appropriate exceptions from the application of this section in the case of—

“(1) classes of assets identified by the Secretary, including any assets with respect to which the Secretary determines that disclosure under this section would be duplicative of other disclosures,

“(2) nonresident aliens, and

“(3) bona fide residents of any possession of the United States.”.

(b) **CLERICAL AMENDMENT.**—The table of sections for subpart A of part III of subchapter A of chapter 61 is amended by inserting after the item relating to section 6038C the following new item:

“Sec. 6038D. Information with respect to foreign financial assets.”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 512. PENALTIES FOR UNDERPAYMENTS ATTRIBUTABLE TO UNDISCLOSED FOREIGN FINANCIAL ASSETS.

(a) **IN GENERAL.**—Section 6662, as amended by this Act, is amended—

(1) in subsection (b), by inserting after paragraph (6) the following new paragraph:

“(7) Any undisclosed foreign financial asset understatement.”, and

(2) by adding at the end the following new subsection:

“(j) **UNDISCLOSED FOREIGN FINANCIAL ASSET UNDERSTATEMENT.**—

“(1) **IN GENERAL.**—For purposes of this section, the term ‘undisclosed foreign financial asset understatement’ means, for any taxable year, the portion of the understatement for such taxable year which is attributable to any transaction involving an undisclosed foreign financial asset.

“(2) **UNDISCLOSED FOREIGN FINANCIAL ASSET.**—For purposes of this subsection, the term ‘undisclosed foreign financial asset’ means, with respect to any taxable year, any asset with respect to which information was required to be provided under section 6038, 6038B, 6038D, 6046A, or 6048 for such taxable year but was not provided by the taxpayer as required under the provisions of those sections.

“(3) **INCREASE IN PENALTY FOR UNDISCLOSED FOREIGN FINANCIAL ASSET UNDERSTATEMENTS.**—In the case of any portion of an underpayment which is attributable to any undisclosed foreign financial asset understatement, subsection (a) shall be applied with respect to such portion by substituting ‘40 percent’ for ‘20 percent’.”.

(b) **EFFECTIVE DATE.**—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 513. MODIFICATION OF STATUTE OF LIMITATIONS FOR SIGNIFICANT OMISSION OF INCOME IN CONNECTION WITH FOREIGN ASSETS.

(a) **EXTENSION OF STATUTE OF LIMITATIONS.**—(1) **IN GENERAL.**—Paragraph (1) of section 6501(e) is amended by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively, and by inserting before subparagraph (B) (as so redesignated) the following new subparagraph:

“(A) **GENERAL RULE.**—If the taxpayer omits from gross income an amount properly includible therein and—

“(i) such amount is in excess of 25 percent of the amount of gross income stated in the return, or

“(ii) such amount—

“(I) is attributable to one or more assets with respect to which information is required to be reported under section 6038D (or would be so required if such section were applied without regard to the dollar threshold specified in subsection (a) thereof and without regard to any exceptions provided pursuant to subsection (h)(1) thereof), and

“(II) is in excess of \$5,000,

the tax may be assessed, or a proceeding in court for collection of such tax may be begun without assessment, at any time within 6 years after the return was filed.”.

(2) **CONFORMING AMENDMENTS.**—

(A) Subparagraph (B) of section 6501(e)(1), as redesignated by paragraph (1), is amended by striking all that precedes clause (i) and inserting the following:

“(B) **DETERMINATION OF GROSS INCOME.**—For purposes of subparagraph (A)—”.

(B) Paragraph (2) of section 6229(c) is amended by striking “which is in excess of 25 percent of the amount of gross income stated in its return” and inserting “and such amount is described in clause (i) or (ii) of section 6501(e)(1)(A)”.

(b) **ADDITIONAL REPORTS SUBJECT TO EXTENDED PERIOD.**—Paragraph (8) of section 6501(c) is amended—

(1) by inserting “pursuant to an election under section 1295(b) or” before “under section 6038”,

(2) by inserting “1298(f),” before “6038”, and

(3) by inserting “6038D,” after “6038B.”.

(c) **CLARIFICATIONS RELATED TO FAILURE TO DISCLOSE FOREIGN TRANSFERS.**—Paragraph (8) of section 6501(c) is amended by striking “event” and inserting “tax return, event,”.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall apply to—

(1) returns filed after the date of the enactment of this Act; and

(2) returns filed on or before such date if the period specified in section 6501 of the Internal Revenue Code of 1986 (determined without regard to such amendments) for assessment of such taxes has not expired as of such date.

PART III—OTHER DISCLOSURE PROVISIONS

SEC. 521. REPORTING OF ACTIVITIES WITH RESPECT TO PASSIVE FOREIGN INVESTMENT COMPANIES.

(a) **IN GENERAL.**—Section 1298 is amended by redesignating subsection (f) as subsection (g) and by inserting after subsection (e) the following new subsection:

“(f) **REPORTING REQUIREMENT.**—Except as otherwise provided by the Secretary, each United States person who is a shareholder of a passive foreign investment company shall file an annual report containing such information as the Secretary may require.”.

(b) **CONFORMING AMENDMENT.**—Subsection (e) of section 1291 is amended by striking “, (d), and (f)” and inserting “and (d)”.

(c) **EFFECTIVE DATE.**—The amendments made by this section take effect on the date of the enactment of this Act.

SEC. 522. SECRETARY PERMITTED TO REQUIRE FINANCIAL INSTITUTIONS TO FILE CERTAIN RETURNS RELATED TO WITHHOLDING ON FOREIGN TRANSFERS ELECTRONICALLY.

(a) *IN GENERAL.*—Subsection (e) of section 6011 is amended by adding at the end the following new paragraph:

“(4) *SPECIAL RULE FOR RETURNS FILED BY FINANCIAL INSTITUTIONS WITH RESPECT TO WITHHOLDING ON FOREIGN TRANSFERS.*—The numerical limitation under paragraph (2)(A) shall not apply to any return filed by a financial institution (as defined in section 1471(d)(5)) with respect to tax for which such institution is made liable under section 1461 or 1474(a).”

(b) *CONFORMING AMENDMENT.*—Subsection (c) of section 6724 is amended by inserting “or with respect to a return described in section 6011(e)(4)” before the end period.

(c) *EFFECTIVE DATE.*—The amendment made by this section shall apply to returns the due date for which (determined without regard to extensions) is after the date of the enactment of this Act.

PART IV—PROVISIONS RELATED TO FOREIGN TRUSTS

SEC. 531. CLARIFICATIONS WITH RESPECT TO FOREIGN TRUSTS WHICH ARE TREATED AS HAVING A UNITED STATES BENEFICIARY.

(a) *IN GENERAL.*—Paragraph (1) of section 679(c) is amended by adding at the end the following:

“For purposes of subparagraph (A), an amount shall be treated as accumulated for the benefit of a United States person even if the United States person's interest in the trust is contingent on a future event.”

(b) *CLARIFICATION REGARDING DISCRETION TO IDENTIFY BENEFICIARIES.*—Subsection (c) of section 679 is amended by adding at the end the following new paragraph:

“(4) *SPECIAL RULE IN CASE OF DISCRETION TO IDENTIFY BENEFICIARIES.*—For purposes of paragraph (1)(A), if any person has the discretion (by authority given in the trust agreement, by power of appointment, or otherwise) of making a distribution from the trust to, or for the benefit of, any person, such trust shall be treated as having a beneficiary who is a United States person unless—

“(A) the terms of the trust specifically identify the class of persons to whom such distributions may be made, and

“(B) none of those persons are United States persons during the taxable year.”

(c) *CLARIFICATION THAT CERTAIN AGREEMENTS AND UNDERSTANDINGS ARE TERMS OF THE TRUST.*—Subsection (c) of section 679, as amended by subsection (b), is amended by adding at the end the following new paragraph:

“(5) *CERTAIN AGREEMENTS AND UNDERSTANDINGS TREATED AS TERMS OF THE TRUST.*—For purposes of paragraph (1)(A), if any United States person who directly or indirectly transfers property to the trust is directly or indirectly involved in any agreement or understanding (whether written, oral, or otherwise) that may result in the income or corpus of the trust being paid or accumulated to or for the benefit of a United States person, such agreement or understanding shall be treated as a term of the trust.”

SEC. 532. PRESUMPTION THAT FOREIGN TRUST HAS UNITED STATES BENEFICIARY.

(a) *IN GENERAL.*—Section 679 is amended by redesignating subsection (d) as subsection (e) and inserting after subsection (c) the following new subsection:

“(d) *PRESUMPTION THAT FOREIGN TRUST HAS UNITED STATES BENEFICIARY.*—If a United States person directly or indirectly transfers property to a foreign trust (other than a trust described in section 6048(a)(3)(B)(ii)), the Secretary may treat such trust as having a United States beneficiary for purposes of applying this section to such transfer unless such person—

“(1) submits such information to the Secretary as the Secretary may require with respect to such transfer, and

“(2) demonstrates to the satisfaction of the Secretary that such trust satisfies the requirements of subparagraphs (A) and (B) of subsection (c)(1).”

(b) *EFFECTIVE DATE.*—The amendments made by this section shall apply to transfers of property after the date of the enactment of this Act.

SEC. 533. UNCOMPENSATED USE OF TRUST PROPERTY.

(a) *IN GENERAL.*—Paragraph (1) of section 643(i) is amended—

(1) by striking “directly or indirectly to” and inserting “(or permits the use of any other trust property) directly or indirectly to or by”, and

(2) by inserting “(or the fair market value of the use of such property)” after “the amount of such loan”.

(b) *EXCEPTION FOR COMPENSATED USE.*—Paragraph (2) of section 643(i) is amended by adding at the end the following new subparagraph:

“(E) *EXCEPTION FOR COMPENSATED USE OF PROPERTY.*—In the case of the use of any trust property other than a loan of cash or marketable securities, paragraph (1) shall not apply to the extent that the trust is paid the fair market value of such use within a reasonable period of time of such use.”

(c) *APPLICATION TO GRANTOR TRUSTS.*—Subsection (c) of section 679, as amended by this Act, is amended by adding at the end the following new paragraph:

“(6) *UNCOMPENSATED USE OF TRUST PROPERTY TREATED AS A PAYMENT.*—For purposes of this subsection, a loan of cash or marketable securities (or the use of any other trust property) directly or indirectly to or by any United States person (whether or not a beneficiary under the terms of the trust) shall be treated as paid or accumulated for the benefit of a United States person. The preceding sentence shall not apply to the extent that the United States person repays the loan at a market rate of interest (or pays the fair market value of the use of such property) within a reasonable period of time.”

(d) *CONFORMING AMENDMENTS.*—Paragraph (3) of section 643(i) is amended—

(1) by inserting “(or use of property)” after “If any loan”,

(2) by inserting “or the return of such property” before “shall be disregarded”, and

(3) by striking “REGARDING LOAN PRINCIPAL” in the heading thereof.

(e) *EFFECTIVE DATE.*—The amendments made by this section shall apply to loans made, and uses of property, after the date of the enactment of this Act.

SEC. 534. REPORTING REQUIREMENT OF UNITED STATES OWNERS OF FOREIGN TRUSTS.

(a) *IN GENERAL.*—Paragraph (1) of section 6048(b) is amended by inserting “shall submit such information as the Secretary may prescribe with respect to such trust for such year and” before “shall be responsible to ensure”.

(b) *EFFECTIVE DATE.*—The amendment made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 535. MINIMUM PENALTY WITH RESPECT TO FAILURE TO REPORT ON CERTAIN FOREIGN TRUSTS.

(a) *IN GENERAL.*—Subsection (a) of section 6677 is amended—

(1) by inserting “the greater of \$10,000 or” before “35 percent”, and

(2) by striking the last sentence and inserting the following: “At such time as the gross reportable amount with respect to any failure can be determined by the Secretary, any subsequent penalty imposed under this subsection with respect to such failure shall be reduced as necessary to assure that the aggregate amount of such penalties do not exceed the gross reportable amount (and to the extent that such aggregate amount already exceeds the gross reportable

amount the Secretary shall refund such excess to the taxpayer).”

(b) *EFFECTIVE DATE.*—The amendments made by this section shall apply to notices and returns required to be filed after December 31, 2009.

PART V—SUBSTITUTE DIVIDENDS AND DIVIDEND EQUIVALENT PAYMENTS RECEIVED BY FOREIGN PERSONS TREATED AS DIVIDENDS

SEC. 541. SUBSTITUTE DIVIDENDS AND DIVIDEND EQUIVALENT PAYMENTS RECEIVED BY FOREIGN PERSONS TREATED AS DIVIDENDS.

(a) *IN GENERAL.*—Section 871 is amended by redesignating subsection (l) as subsection (m) and by inserting after subsection (k) the following new subsection:

“(l) *TREATMENT OF DIVIDEND EQUIVALENT PAYMENTS.*—

“(1) *IN GENERAL.*—For purposes of subsection (a), sections 881 and 4948(a), and chapters 3 and 4, a dividend equivalent shall be treated as a dividend from sources within the United States.

“(2) *DIVIDEND EQUIVALENT.*—For purposes of this subsection, the term ‘dividend equivalent’ means—

“(A) any substitute dividend made pursuant to a securities lending or a sale-repurchase transaction that (directly or indirectly) is contingent upon, or determined by reference to, the payment of a dividend from sources within the United States,

“(B) any payment made pursuant to a specified notional principal contract that (directly or indirectly) is contingent upon, or determined by reference to, the payment of a dividend from sources within the United States, and

“(C) any other payment determined by the Secretary to be substantially similar to a payment described in subparagraph (A) or (B).

“(3) *SPECIFIED NOTIONAL PRINCIPAL CONTRACT.*—For purposes of this subsection, the term ‘specified notional principal contract’ means—

“(A) any notional principal contract if—

“(i) in connection with entering into such contract, any long party to the contract transfers the underlying security to any short party to the contract,

“(ii) in connection with the termination of such contract, any short party to the contract transfers the underlying security to any long party to the contract,

“(iii) the underlying security is not readily tradable on an established securities market,

“(iv) in connection with entering into such contract, the underlying security is posted as collateral by any short party to the contract with any long party to the contract, or

“(v) such contract is identified by the Secretary as a specified notional principal contract,

“(B) in the case of payments made after the date which is 2 years after the date of the enactment of this subsection, any notional principal contract unless the Secretary determines that such contract is of a type which does not have the potential for tax avoidance.

“(4) *DEFINITIONS.*—For purposes of paragraph (3)(A)—

“(A) *LONG PARTY.*—The term ‘long party’ means, with respect to any underlying security of any notional principal contract, any party to the contract which is entitled to receive any payment pursuant to such contract which is contingent upon, or determined by reference to, the payment of a dividend from sources within the United States with respect to such underlying security.

“(B) *SHORT PARTY.*—The term ‘short party’ means, with respect to any underlying security of any notional principal contract, any party to the contract which is not a long party with respect to such underlying security.

“(C) *UNDERLYING SECURITY.*—The term ‘underlying security’ means, with respect to any notional principal contract, the security with

respect to which the dividend referred to in paragraph (2)(B) is paid. For purposes of this paragraph, any index or fixed basket of securities shall be treated as a single security.

“(5) PAYMENTS DETERMINED ON GROSS BASIS.—For purposes of this subsection, the term ‘payment’ includes any gross amount which is used in computing any net amount which is transferred to or from the taxpayer.

“(6) PREVENTION OF OVER-WITHHOLDING.—In the case of any chain of dividend equivalents one or more of which is subject to tax under subsection (a) or section 881, the Secretary may reduce such tax, but only to the extent that the taxpayer can establish that such tax has been paid with respect to another dividend equivalent in such chain, or is not otherwise due, or as the Secretary determines is appropriate to address the role of financial intermediaries in such chain. For purposes of this paragraph, a dividend shall be treated as a dividend equivalent.

“(7) COORDINATION WITH CHAPTERS 3 AND 4.—For purposes of chapters 3 and 4, each person that is a party to any contract or other arrangement that provides for the payment of a dividend equivalent shall be treated as having control of such payment.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to payments made on or after the date that is 180 days after the date of the enactment of this Act.

Subtitle B—Delay in Application of Worldwide Allocation of Interest

SEC. 551. DELAY IN APPLICATION OF WORLDWIDE ALLOCATION OF INTEREST.

(a) IN GENERAL.—Paragraphs (5)(D) and (6) of section 864(f) are each amended by striking “December 31, 2017” and inserting “December 31, 2019”.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

MOTION OFFERED BY MR. ETHERIDGE

Mr. ETHERIDGE. I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. Etheridge moves that the House concur in the Senate amendment to the House amendment to the Senate amendment with an amendment.

The text of the amendment is as follows:

Concur in the Senate amendment (hereinafter referred to as the ‘pending Senate amendment’) to the House amendment to the Senate amendment to H.R. 2847 with the following amendment:

(1) In section 101 of the matter proposed to be inserted by the pending Senate amendment—

(A) In section 3111(d) of the Internal Revenue Code of 1986, as proposed to be added by subsection (a) of such section 101, add at the end the following new paragraph:

“(5) SPECIAL RULE FOR FIRST CALENDAR QUARTER OF 2010.—

“(A) NONAPPLICATION OF EXEMPTION DURING FIRST QUARTER.—Paragraph (1) shall not apply with respect to wages paid during the first calendar quarter of 2010.

“(B) CREDITING OF FIRST QUARTER EXEMPTION DURING SECOND QUARTER.—The amount by which the tax imposed under subsection (a) would (but for subparagraph (A)) have been reduced with respect to wages paid by a qualified employer during the first calendar quarter of 2010 shall be treated as a payment against the tax imposed under subsection (a) with respect to the qualified employer for the second calendar quarter of 2010 which is made on the date that such tax is due.”.

(B) Strike subsection (d) of such section 101 and insert the following new subsections:

(d) APPLICATION TO RAILROAD RETIREMENT TAXES.—

(1) IN GENERAL.—Section 3221 of the Internal Revenue Code of 1986 is amended by redesignating subsection (c) as subsection (d) and by inserting after subsection (b) the following new subsection:

“(c) SPECIAL RATE FOR CERTAIN INDIVIDUALS HIRED IN 2010.—

“(1) IN GENERAL.—In the case of compensation paid by a qualified employer during the period beginning on the day after the date of the enactment of this subsection and ending on December 31, 2010, with respect to having a qualified individual in the employer’s employ for services rendered to such qualified employer, the applicable percentage under subsection (a) shall be equal to the rate of tax in effect under section 3111(b) for the calendar year.

“(2) QUALIFIED EMPLOYER.—The term ‘qualified employer’ means any employer other than the United States, any State, or any political subdivision thereof, or any instrumentality of the foregoing.

“(3) QUALIFIED INDIVIDUAL.—For purposes of this subsection, the term ‘qualified individual’ means any individual who—

“(A) begins employment with a qualified employer after February 3, 2010, and before January 1, 2011,

“(B) certifies by signed affidavit, under penalties of perjury, that such individual has not been employed for more than 40 hours during the 60-day period ending on the date such individual begins such employment,

“(C) is not employed by the qualified employer to replace another employee of such employer unless such other employee separated from employment voluntarily or for cause, and

“(D) is not an individual described in section 51(i)(1) (applied by substituting ‘qualified employer’ for ‘taxpayer’ each place it appears).

“(4) ELECTION.—A qualified employer may elect to have this subsection not apply. Such election shall be made in such manner as the Secretary may require.

“(5) SPECIAL RULE FOR FIRST CALENDAR QUARTER OF 2010.—

“(A) NONAPPLICATION OF EXEMPTION DURING FIRST QUARTER.—Paragraph (1) shall not apply with respect to compensation paid during the first calendar quarter of 2010.

“(B) CREDITING OF FIRST QUARTER EXEMPTION DURING SECOND QUARTER.—The amount by which the tax imposed under subsection (a) would (but for subparagraph (A)) have been reduced with respect to compensation paid by a qualified employer during the first calendar quarter of 2010 shall be treated as a payment against the tax imposed under subsection (a) with respect to the qualified employer for the second calendar quarter of 2010 which is made on the date that such tax is due.”.

(2) TRANSFERS TO SOCIAL SECURITY EQUIVALENT BENEFIT ACCOUNT.—There are hereby appropriated to the Social Security Equivalent Benefit Account established under section 15A(a) of the Railroad Retirement Act of 1974 (45 U.S.C. 231n-1(a)) amounts equal to the reduction in revenues to the Treasury by reason of the amendments made by paragraph (1). Amounts appropriated by the preceding sentence shall be transferred from the general fund at such times and in such manner as to replicate to the extent possible the transfers which would have occurred to such Account had such amendments not been enacted.

(e) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this subsection shall apply to wages paid after the date of the enactment of this Act.

(2) RAILROAD RETIREMENT TAXES.—The amendments made by subsection (d) shall apply to compensation paid after the date of the enactment of this Act.

(2) In section 102 of the matter proposed to be inserted by the pending Senate amendment—

(A) Strike subsection (a) of such section 102 and insert the following new subsection:

(a) IN GENERAL.—In the case of any taxable year ending after the date of the enactment of this Act, the current year business credit determined under section 38(b) of the Internal Revenue Code of 1986 for such taxable year shall be increased, with respect to each retained worker with respect to which subsection (b)(2) is first satisfied during such taxable year, by the lesser of—

(1) \$1,000, or

(2) 6.2 percent of the wages (as defined in section 3401(a)) paid by the taxpayer to such retained worker during the 52 consecutive week period referred to in subsection (b)(2).

(B) In subsection (b) of such section 102, insert “or section 3221(c)(3)” after “section 3111(d)(3)”.

(C) In subsection (b)(3) of such section 102, insert “(as defined in section 3401(a))” after “wages” the first place it appears therein.

(D) At the end of such section 102, add the following new subsection:

(d) TREATMENT OF POSSESSIONS.—

(1) PAYMENTS TO POSSESSIONS.—

(A) MIRROR CODE POSSESSIONS.—The Secretary of the Treasury shall pay to each possession of the United States with a mirror code tax system amounts equal to the loss to that possession by reason of the application of this section (other than this subsection). Such amounts shall be determined by the Secretary of the Treasury based on information provided by the government of the respective possession.

(B) OTHER POSSESSIONS.—The Secretary of the Treasury shall pay to each possession of the United States which does not have a mirror code tax system amounts estimated by the Secretary of the Treasury as being equal to the aggregate benefits that would have been provided to residents of such possession by reason of the application of this section (other than this subsection) if a mirror code tax system had been in effect in such possession. The preceding sentence shall not apply with respect to any possession of the United States unless such possession has a plan, which has been approved by the Secretary of the Treasury, under which such possession will promptly distribute such payments to the residents of such possession.

(2) COORDINATION WITH CREDIT ALLOWED AGAINST UNITED STATES INCOME TAXES.—No increase in the credit determined under section 38(b) of the Internal Revenue Code of 1986 against United States income taxes for any taxable year determined under subsection (a) shall be taken into account with respect to any person—

(A) to whom a credit is allowed against taxes imposed by the possession by reason of this section for such taxable year, or

(B) who is eligible for a payment under a plan described in paragraph (1)(B) with respect to such taxable year.

(3) DEFINITIONS AND SPECIAL RULES.—

(A) POSSESSION OF THE UNITED STATES.—For purposes of this subsection, the term “possession of the United States” includes the Commonwealth of Puerto Rico and the Commonwealth of the Northern Mariana Islands.

(B) MIRROR CODE TAX SYSTEM.—For purposes of this subsection, the term “mirror code tax system” means, with respect to any possession of the United States, the income tax system of such possession if the income tax liability of the residents of such possession under such system is determined by reference to the income tax laws of the United

States as if such possession were the United States.

(C) TREATMENT OF PAYMENTS.—For purposes of section 1324(b)(2) of title 31, United States Code, rules similar to the rules of section 1001(b)(3)(C) of the American Recovery and Reinvestment Tax Act of 2009 shall apply.

(3) In section 301 of the matter proposed to be inserted by the pending Senate amendment—

(A) In section 6431(f)(1) of the Internal Revenue Code of 1986, as proposed to be added by subsection (a) of such section 301, strike subparagraph (C) and insert the following new subparagraph:

“(C) the amount of the payment determined under subsection (b) with respect to any interest payment due under such bond shall be equal to the lesser of—

“(i) the amount of interest payable under such bond on such date, or

“(ii) the amount of interest which would have been payable under such bond on such date if such interest were determined at the applicable credit rate determined under section 54A(b)(3).”

(B) In section 6431(f) of the Internal Revenue Code of 1986, as proposed to be added by subsection (a) of such section 301, strike paragraph (2) and insert the following new paragraphs:

“(2) SPECIAL RULE FOR NEW CLEAN RENEWABLE ENERGY BONDS AND QUALIFIED ENERGY CONSERVATION BONDS.—In the case of any specified tax credit bond described in clause (i) or (ii) of paragraph (3)(A), the amount determined under paragraph (1)(C)(ii) shall be 70 percent of the amount so determined without regard to this paragraph and sections 54C(b) and 54D(b).

“(3) SPECIFIED TAX CREDIT BOND.—For purposes of this subsection, the term “specified tax credit bond” means any qualified tax credit bond (as defined in section 54A(d)) if—

“(A) such bond is—

“(i) a new clean renewable energy bond (as defined in section 54C),

“(ii) a qualified energy conservation bond (as defined in section 54D),

“(iii) a qualified zone academy bond (as defined in section 54E), or

“(iv) a qualified school construction bond (as defined in section 54F), and

“(B) the issuer of such bond makes an irrevocable election to have this subsection apply.”

(4) At the end title IV of the matter proposed to be inserted by the pending Senate amendment, add the following:

Subtitle E—Disadvantaged Business Enterprises

SEC. 451. DISADVANTAGED BUSINESS ENTERPRISES.

(a) DEFINITIONS.—In this section, the following definitions apply:

(1) SMALL BUSINESS CONCERN.—The term “small business concern” has the meaning that term has under section 3 of the Small Business Act (15 U.S.C. 632), except that the term shall not include any concern or group of concerns controlled by the same socially and economically disadvantaged individual or individuals which has average annual gross receipts over the preceding 3 fiscal years in excess of \$22,410,000, as adjusted annually by the Secretary of Transportation for inflation.

(2) SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUALS.—The term “socially and economically disadvantaged individuals” has the meaning that term has under section 8(d) of the Small Business Act (15 U.S.C. 637(d)) and relevant subcontracting regulations issued pursuant to that Act, except that women shall be presumed to be socially and economically disadvantaged individuals for purposes of this section.

(b) GENERAL RULE.—Except to the extent that the Secretary of Transportation determines otherwise, not less than 10 percent of the amounts made available for any program under titles I, III, and V of SAFETEA-LU (Public Law 109-59), subtitles A and C of this title, and section 403 of title 23, United States Code, shall be expended through small business concerns owned and controlled by socially and economically disadvantaged individuals.

(c) ANNUAL LISTING OF DISADVANTAGED BUSINESS ENTERPRISES.—Each State shall annually—

(1) survey and compile a list of the small business concerns referred to in subsection (a) and the location of the concerns in the State; and

(2) notify the Secretary of Transportation, in writing, of the percentage of the concerns that are controlled by women, by socially and economically disadvantaged individuals (other than women), and by individuals who are women and are otherwise socially and economically disadvantaged individuals.

(d) UNIFORM CERTIFICATION.—The Secretary of Transportation shall establish minimum uniform criteria for State governments to use in certifying whether a concern qualifies for purposes of this section. The minimum uniform criteria shall include, but not be limited to, on-site visits, personal interviews, licenses, analysis of stock ownership, listing of equipment, analysis of bonding capacity, listing of work completed, resume of principal owners, financial capacity, and type of work preferred.

(e) COMPLIANCE WITH COURT ORDERS.—Nothing in this section limits the eligibility of an entity or person to receive funds made available under titles I, III, and V of SAFETEA-LU (Public Law 109-59), subtitles A and C of this title, and section 403 of title 23, United States Code, if the entity or person is prevented, in whole or in part, from complying with subsection (b) because a Federal court issues a final order in which the court finds that the requirement of subsection (b), or the program established under subsection (b), is unconstitutional.

(5) In section 551(a) of the matter proposed to be inserted by the pending Senate amendment, strike “December 31, 2019” and insert “December 31, 2020”.

(6) At the end of title V of the matter proposed to be inserted by the pending Senate amendment, add the following new subtitle:

Subtitle C—Budgetary Provisions

SEC. 561. TIME FOR PAYMENT OF CORPORATE ESTIMATED TAXES.

Notwithstanding section 6655 of the Internal Revenue Code of 1986, in the case of a corporation with assets of not less than \$1,000,000,000 (determined as of the end of the preceding taxable year)—

(1) the percentage under paragraph (1) of section 202(b) of the Corporate Estimated Tax Shift Act of 2009 in effect on the date of the enactment of this Act is increased by 23 percentage points,

(2) the amount of any required installment of corporate estimated tax which is otherwise due in July, August, or September of 2015 shall be 121.5 percent of such amount,

(3) the amount of any required installment of corporate estimated tax which is otherwise due in July, August, or September of 2019 shall be 106.5 percent of such amount, and

(4) the amount of the next required installment after an installment referred to in paragraph (2) or (3) shall be appropriately reduced to reflect the amount of the increase by reason of such paragraph.

SEC. 562. PAYGO COMPLIANCE.

The budgetary effects of this Act, for purposes of complying with the Statutory Pay-

As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, jointly submitted for printing in the Congressional Record by the Chairman of the House and Senate Budget Committees, provided that such statement has been submitted prior to the vote on passage in the House acting first on this conference report or amendments between the Houses.

The SPEAKER pro tempore. Pursuant to House Resolution 1137, the motion shall be debatable for 1 hour, equally divided and controlled by the chair and the ranking minority member of the Committee on Ways and Means or their designees.

The gentleman from North Carolina (Mr. ETHERIDGE) and the gentleman from California (Mr. NUNES) each will control 30 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. ETHERIDGE. Madam Speaker, I yield to the gentlewoman from New York (Mrs. MALONEY) for the purpose of making a unanimous consent request.

(Mrs. MALONEY asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY. Madam Speaker, I rise in strong support of H.R. 2847, include my statement for the RECORD, and also submit to the RECORD excerpts from recent joint economic hearings underscoring the need for targeted, timely action to boost employment.

Madam Speaker, at recent hearings of the Joint Economic Committee, which I chair, economists, forecasters, and business leaders have laid out the need for targeted, immediate action to spark job creation.

H.R. 2847—Hiring Incentives to Restore Employment Act—delivers timely incentives for businesses to hire, including a temporary tax break for businesses that hire workers who have been unemployed for at least 60 days.

CBO Director Douglas Elmendorf recently told the JEC, by bringing down the cost of adding new employees, employer tax credits like this one will spur new hiring and strengthen our economy.

In January, I sent a survey to the CEOs of Fortune 100 companies and leading small businesses seeking their ideas on job creation.

The ideas I got back were varied. But there was broad agreement that Congress needs to act now.

I urge my colleagues to support the HIRE Act to create jobs and put Americans back to work.

Finally, I would like to submit for the RECORD excerpts from recent JEC hearings underscoring the need for targeted, timely action to boost employment.

MANPOWER CHAIRMAN AND CEO JEFFREY JOERES, JOINT ECONOMIC COMMITTEE HEARING, FEBRUARY 26, 2010

Manpower has been in the business of jobs and job training for over 60 years. We've seen the economic ups and downs. It's clear that this recession is by far the most severe in this downturn. It's been a privilege [to hear] some of the thoughts that we get and feel from on the ground, and those actions that I've presented this committee. We consider that partnerships between government and industry is critical for this to move very quickly.

CONGRESSIONAL BUDGET OFFICE DIRECTOR
DOUGLAS ELMENDORF, JOINT ECONOMIC COMMITTEE HEARING, FEBRUARY 23, 2010

What we have—what we have said in our initial report, and in our letter to you, and you can see in the—in those bars, is that in our judgment policies that cut employers' payroll taxes are more cost effective in terms of stimulating employment over the next couple of years, than many of the other policies that we've considered.

And our judgment—what firms will do with a cut of that sort is partly to take advantage of their lower cost by cutting the prices of their goods, and thus trying to stimulate demand. And it's the—really the shortfall in demand that is the crux of the recession, or the crux of the problem in hiring. Additionally these tax credits provide an incentive to use more labor by lowering the cost of labor in particular.

DR. RICHARD BERNER, CO-HEAD OF GLOBAL ECONOMICS AND CHIEF U.S. ECONOMIST, MORGAN STANLEY, JOINT ECONOMIC COMMITTEE HEARING, FEBRUARY 26, 2010

A refundable payroll tax credit, perhaps for firms that increase their payroll, would be among the most effective short-term remedies. CBO estimates that a well-designed credit could boost employment by about 9 years of full-time equivalent employment per million dollars of budgetary cost.

GENERAL LEAVE

Mr. ETHERIDGE. Madam Speaker, I ask that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. ETHERIDGE. Madam Speaker, I am pleased to rise in support of H.R. 2847, the Hiring Incentives to Restore Employment Act. The HIRE Act is about our three most important priorities in this Congress: jobs, jobs, and jobs. The HIRE Act builds on legislation that the Senate passed last week, including direct hiring tax incentives for business, support for Recovery Act bond incentives that put local dollars to work creating jobs all across this country, and transportation funding that improves our communities, builds infrastructure, and supports local businesses. All told, more than 1 million jobs will be created by this legislation.

This bill really is help for small businesses on Main Street and millions of Americans who are ready to see the benefits of a growing economy. Across this great country, our economy is showing signs of recovery. But consumers need more confidence, and employers need incentives to hire workers. Today, we give business direct incentives to hire new workers. I am pleased that the HIRE Act accomplishes this in a responsible manner.

Not only does it fully pay for all of the important investments in job creation, but it actually contributes to reduce our deficit by nearly \$1 billion. Let me repeat that again, reduce the deficit by \$1 billion. The bill is a good step to rebuild our job market, but we still have a ways to go. I expect that this will just be a downpayment on our continuing work to create jobs and restore our economy.

This bill includes, as you have already heard, about \$77.15 billion of investment in surface transportation projects. It also reauthorizes Federal highway public transit initiatives and highway safety funding that is needed all across America. When extensions were blocked last week in the Senate, transportation projects across this country were held up and almost 2,000 employees were furloughed. Today, we are going to take action not only to make sure that doesn't happen again, but that we create jobs by investing in local priorities across this country, not only transportation projects that need to be moving in our communities, building on infrastructure and providing jobs for America, but also the HIRE Act that creates tax credits for local businesses.

Representative STEVE KAGEN and myself introduced a bill back in January for tax credits to hire new employees. This bill builds on that. It is a little different than what we had, but it makes a difference. Despite some economic growth in recent months, the unemployment rate around the country remains high. Too many Americans are unemployed. In my State, it is above the national average, almost 11.2 percent. Just this past week, I visited an employment office where people were saying all we need is a hand up, not a handout; give us an opportunity to go to work.

In addition to that, we are providing funds for making sure that our qualified school construction bonds in the Recovery Act that we passed last year will work. This bill really is about jobs. I can say to you when we are talking about jobs, we are talking about education. I happen to believe education is the one thing that levels the playing field for everyone. Today we are going to have the opportunity to put our stamp on and vote for a piece of legislation that will provide good places for teachers to teach and children to learn.

Madam Speaker, I reserve the balance of my time.

Mr. NUNES. Madam Speaker, I yield myself such time as I may consume.

(Mr. NUNES asked and was given permission to revise and extend his remarks.)

Mr. NUNES. Madam Speaker, if at first you don't succeed, try, try again. That seems to be the Democrats' creed and motto.

There wouldn't be any need for today's bill if the failed trillion-dollar stimulus package last year actually worked. A year ago the Democrats promised the American people their so-called stimulus would keep unemployment at 8 percent, but a year later we are near 10 percent.

Put simply, you cannot create jobs by dumping a trillion dollars into Federal agencies. The administration claims that \$1.5 billion in stimulus moneys saved or created 1,664 jobs in California's San Joaquin Valley where I live. Even if one charitably assumes the accuracy of these numbers, the

Federal Government has spent a whopping \$900,000 to save or create one job in the San Joaquin Valley. Despite spending \$900,000 per job, there are still communities in the valley that suffer from 20 to 40 percent unemployment. In fact, in the wake of the stimulus, we saw 3 million additional Americans lose their jobs rather than the 3.7 million jobs that are now being promised by the Obama administration. Sadly, a record 16 million Americans are now unemployed because the stimulus promises were empty and unaffordable.

□ 1400

Is it any wonder why the American people continue to ask, Where are the jobs?

It appears that the stimulus was not very stimulating outside of Washington. So here we are back again with yet another multibillion-dollar plan slapped together by the Democrats that will probably, once again, fail.

Madam Speaker, the Soviet Union experience, sadly, taught us that just because you're going to grow 1 billion bushels of potatoes does not mean that there will be potatoes on the shelves. Similarly, just because the Democrats have chosen to message this as a "jobs" bill does not mean that it will actually create a job.

The centerpiece of the Democrats' new bill is a payroll tax exemption, a hiring credit for employers to bring on new workers. While I give the Democrats credit for acknowledging that tax cuts are preferable to spending increases, the sad reality is that this is a political charade and it won't work. How do we know? Because the same idea didn't work when Jimmy Carter tried it in the late 1970s.

Numerous studies by noted economists from all across the political spectrum have confirmed that these temporary hiring incentives will have little, if any, positive effect on jobs. It is beyond ridiculous to claim that you can have a meaningful impact upon a \$14 trillion economy by spending \$13 billion on gimmick tax cuts. Let's think about it: If you're an employer, are you really going to hire someone for a permanent position because you get a modest, temporary tax incentive?

We could have improved this bill had the Ways and Means Committee actually held a hearing and a markup, but once again we see significant tax legislation taken directly to the floor without a committee hearing, without a committee markup, and without an opportunity to even offer amendments.

I understand that there was a change in the chairmanship on the Ways and Means Committee yesterday, but, in fact, this bill on the floor today proves that it's a political sham. It is far from serious to enact sound policy to improve our economy when you can't even decide who the chairman of the Ways and Means Committee is going to be.

You don't have to read Adam Smith to know that markets cannot thrive

with uncertainty. What employers really need from Washington is the assurance that the Democrats' massive Big Government tax-and-spend agenda isn't going to drive them out of business.

Employers face uncertainty about the Democrats' massive takeover of the health care system, about the new \$1 trillion cap-and-trade energy tax. They face uncertainty with environmental regulations like those that have driven 84 saw mills from California since 1989, and they face uncertainty about the largest tax increase in American history that will be enacted this year.

Madam Speaker, employers don't need more Federal spending to create good private sector jobs; they already know how to create good jobs if Washington would just get out of the way.

Madam Speaker, I reserve the balance of my time.

Mr. ETHERIDGE. Madam Speaker, I would remind the gentleman that I was a small businessman in the 1970s when this tax credit was in before. Not only did we use it and create jobs; we had tremendous growth in this country.

I talked to two chambers of commerce in the last month. They are tickled to death that somebody is willing to help them instead of doing the very thing the Senate did last week and hold everything up. It's time we moved on and got something done.

I yield 3 minutes to the gentleman, Mr. OBERSTAR, who knows something about infrastructure.

Mr. OBERSTAR. I thank the gentleman for his time and will use this brief moment to be very specific.

Under the programs in the stimulus, under the jurisdiction of our Committee on Transportation and Infrastructure, we can account for 1,091,005 jobs in the past year, 1 year from date of enactment. We have this documented in 14 consecutive monthly hearings on progress made by State DOTs, transit agencies, metropolitan planning organizations and State Revolving Loan Fund organizations, as well as the other portions of our stimulus for which we have documented the funding investments that have created jobs. These are real jobs, building trades, associated general contractors who are putting people to work, putting their equipment to work on job sites where they were shut down the previous year.

With those jobs, those workers are paying \$353 million in Federal taxes, avoiding \$279 million in unemployment compensation checks because they're getting a payroll check instead of an unemployment compensation check. We have 25,000 direct, on-project, full-time equivalent jobs in the Clean Water Revolving Loan Fund program, and paved 24,000 lane miles of highway and restored or replaced 1,200 bridges. That highway mileage is equivalent to half of the interstate highway systems that took 50 years to build. This was done in a year.

This extension of funding for the surface transportation program will provide \$77 billion to continue SAFETEA-LU for the next 15 months for the 15-month period. That is this fiscal year and 3 months beyond. It is a \$21 billion increase over the funding levels of the continuing resolution.

It restores the \$8.7 billion rescission that occurred September 30 that everyone was wringing their hands about, but required by the Bush administration and consented to by House and Senate Republicans in the last meeting of the House-Senate conference on SAFETEA-LU. That money is restored. We said that we'd do it. It's done.

The bill also restores \$19.5 billion of interest foregone since 1998 when we had to agree to a concession insisted upon by then-Speaker Gingrich and then the Clinton administration Treasury Department to forego interest on the trust fund. That interest is restored, repatriated to the trust fund and in the future will collect interest like all other trust funds.

The SPEAKER pro tempore. The time of gentleman has expired.

Mr. ETHERIDGE. I yield the gentleman another 30 seconds.

Mr. OBERSTAR. But there are two issues in this bill that I was very concerned about. The Senate passed a bill that had a funding formula that was very, very discriminatory. Four States benefited with 58 percent of the funding and 22 States got nothing. Senator REID has consented in a letter he sent to me and to Speaker PELOSI to restore the House funding formula that we proposed in a subsequent bill that will pass the Senate this month to distribute those additional highway formula funds as we proposed in a formula distribution.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. ETHERIDGE. Madam Speaker, I yield another 15 seconds to the gentleman.

Mr. OBERSTAR. The letter to Senator REID from Senator BOXER, the chair of the Senate Public Works Committee, and Senator MURRAY on the Appropriations Committee, that letter will be available at this desk to show that we will restore the funding formula the way it is intended in SAFETEA-LU.

Mr. NUNES. Madam Speaker, I yield 2 minutes to the gentleman from California, my good friend (Mr. LEWIS).

(Mr. LEWIS of California asked and was given permission to revise and extend his remarks.)

Mr. LEWIS of California. Madam Speaker, I rise to speak on the highway provisions of H.R. 2847. I think it's important that my colleagues understand that the bill before us isn't a clean extension of SAFETEA-LU highway and transit programs, but includes new policies that would continue the program on the current road to ruin.

I support a strong surface transportation bill; I worked with Mr. OBER-

STAR for years in connection with that. I know our constituents depend upon this program to keep our roads and transit systems open and safe and to help keep economic investments coming to our communities. But we also know that the highway trust fund is badly broken; it has been broken for some time. The trust fund has been in a nosedive for years due to overspending, but nothing was ever done about that.

Mr. ETHERIDGE. Madam Speaker, I yield 2 minutes to the gentlewoman from Nevada (Ms. BERKLEY).

Ms. BERKLEY. Madam Speaker, I rise in support of this jobs bill.

Nevada is experiencing unprecedented economic challenges and an unemployment rate of well over 13 percent. It is essential that this Congress pursue policies and programs that will spur long-term economic growth and create the jobs that the people of Las Vegas and across the United States so desperately need. This legislation is a positive step in that direction.

Incentives such as the payroll tax holiday, a tax credit for retaining workers, and the extension of enhanced expensing for small businesses will all help create conditions for increased hiring and retention of new employees.

In addition, the extension of funding for highways and surface transportation projects will provide employment both today and in the future by continuing the infrastructure investments that are critical to long-term economic growth.

And, finally, the direct payment option for certain tax credit bond programs will enable the Clark County School District, which I represent, to increase school construction and continue to fund essential projects.

Nevada, and the Nation, needs the jobs and other support provided in this bill. I urge my colleagues to vote "yes," a resounding "yes" on this piece of legislation.

Mr. NUNES. Madam Speaker, at this time I would like to yield 2 minutes to the gentleman from Texas (Mr. SAM JOHNSON).

Mr. SAM JOHNSON of Texas. I thank the ranking member for allowing me to speak.

On behalf of the American taxpayer, I am deeply disappointed that the Democrat majority is not allowing me to offer a commonsense amendment to protect the American taxpayer.

The amendment was simple: It would require businesses seeking to use a hiring tax incentive in the bill before us to check the legal status of potential new hires through the E-Verify program—you have seen that in the papers lately, it hasn't been used properly—a voluntary employment verification system. While not perfect by any means, E-Verify is certainly far better than the current paper-based verification method.

If the majority insists on moving forward with this flawed bill that in the end I believe will do little to create

new jobs, we must ensure that this hiring tax break isn't used to hire those here illegally. The American taxpayer and the unemployed American worker deserve nothing less. This is the right thing to do.

Now more than ever in these tough economic times we need to ensure that the American worker, and not illegals, is our first priority.

Mr. ETHERIDGE. Madam Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Madam Speaker, I appreciate the courtesy of my friend, the gentleman from North Carolina, in permitting me to speak on this.

This piece of legislation is, sadly, a product of our time with a breakdown with our friends on the other side of the Capitol seemingly unable to proceed with regular order. We saw, sadly, this last week one person bring the transportation funding in this country to a halt, hold up unemployment benefits affecting literally hundreds of thousands of Americans in the most negative way, and that is passing for regular order over there. This bill is an opportunity for us to break that impasse.

It is significant in three ways: first of all, there were five Republicans who were willing to join with the majority to be able to move things forward. In some sense I think we ought to try and reward that sense of at least breaking the tyranny of the 60-vote majority requirement.

Second, the real job generator in this legislation is to be found in extending the transportation funding through the end of the year. Madam Speaker, the most effective job-generating legislation that we could put forward at a time of 40 percent unemployment in many metropolitan areas in the construction trade is to put Americans to work rebuilding and renewing America.

This legislation provides \$77 billion towards that objective, fully funding the first 6 months of this year and extending it through the full 15-month cycle through the end of this calendar year. This will give certainty to the men and women who are dealing with our transportation systems, roads, bridges, transit, the whole range. It will save hundreds of thousands of jobs. It will incite economic activity. And maybe, just maybe, it will be a signal that we bring together a larger vision of rebuilding and renewing America and putting our fellow citizens back to work.

Mr. NUNES. Madam Speaker, I yield myself 15 seconds.

I just want to clarify, I heard the other side of the aisle say that this bill was going to create 1 million jobs. We are going to spend \$13 billion to create 1 million jobs. The \$1 trillion stimulus bill last year was promised to create 3.7 million jobs. At some point, I would like to—

Mr. BLUMENAUER. Would the gentleman yield?

Mr. NUNES. Yes, I would like to yield to the gentleman.

The SPEAKER pro tempore. The time of the gentleman from California has expired.

Mr. NUNES. Madam Speaker, I yield myself an additional 30 seconds.

□ 1415

Mr. BLUMENAUER. What I said, and I want to be clear if I misrepresented it, is that the \$77 billion in transportation funding will protect or create hundreds of thousands of jobs. That's what I said.

Mr. NUNES. Reclaiming my time, actually, Mr. BLUMENAUER, my good friend, spoke about the jobs. Earlier, I had heard another gentleman on the other side of the aisle speak about 1 million jobs. I'm just trying to figure out the math. This is about a \$13 billion to \$15 billion bill to create 1 million or hundreds of thousands of jobs. Last year we spent \$1 trillion to create 3.7 million jobs, and we lost 3 million jobs.

Mr. BLUMENAUER. Will the gentleman yield?

Mr. NUNES. Yes, of course.

Mr. BLUMENAUER. The bill includes \$77 billion of transportation funding. That was my reference. I think the experts agree that it would be hundreds of thousands of jobs, if not 1 million, saved or created with that transportation funding.

I appreciate the gentleman's courtesy.

Mr. NUNES. Madam Speaker, I yield 2 minutes to a member of the Ways and Means Committee, the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, I want to make it clear from the start that there are some items in this bill, some provisions, that everyone in this Chamber could probably support. Providing tax relief to small businesses is really a good idea, but this very fact raises an important question:

If the majority recognizes that lowering taxes for businesses is good for employment and is certainly good for the economy, then why do they insist on dramatically raising taxes everywhere else every single chance the Democrats get?

I also think that it is worth discussing the nefarious accounting gimmicks in this bill. I voted for the principle of PAYGO because I believed in it; but no sooner did the Democrats finish patting themselves on the backs for passing PAYGO than they turned around and came up with waiving it and, in this instance, kind of Bernie Madoffing it, if there is such a word. I think I just created a new word, Madam Speaker. I don't want to get too far into the technical weeds here, but this bill is PAYGO-compliant only because of some accounting gimmicks. In the fourth quarter, move a little first quarter money into future years, and presto-change-o, the bill becomes PAYGO-compliant. The American people know we can't spend the same

money twice; so let's take a closer look.

The official cost estimate of the bill does not include a \$20 billion transfer from the general fund to the highway fund, meaning we will have to find that money someplace else. We will have to find that general revenue money someplace else, probably from China. The cost estimate doesn't reflect \$142 billion in a new spending authorization for transportation projects that we don't have a source of revenue to pay for. Maybe that's why we were only given a few hours to read the bill before the vote is to take place on it.

While we're on the subject of transportation funding, I did hear Mr. OBERSTAR say that the Senate was going to fix this, but the bill before us is not one that is good for transportation for the various States.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. NUNES. I yield the gentlewoman an additional 30 seconds.

Ms. GINNY BROWN-WAITE of Florida. I thank the gentleman.

Certainly, California and Illinois get half of the funding. That leaves the rest of America to ask, What's in it for us? Well, the answer is zero. Florida is a donor State and already pays far more in transportation taxes than what it gets back. Quite frankly, I cannot support the bill that is before us today for that reason and for several other reasons.

Mr. ETHERIDGE. Madam Speaker, I yield 2 minutes to the acting chairman of the Ways and Means Committee, the gentleman from Michigan (Mr. LEVIN). (Mr. LEVIN asked and was given permission to revise and extend his remarks.)

Mr. LEVIN. I thank my friend for yielding.

Madam Speaker, the theme of this bill is very clear: Back to work. I would think that would unite us and not divide us.

Recently, we have seen economic growth. What we have not seen enough of at all is growth in jobs, and that's what this is really all about. There is no easy or perfect way to bring this about. It takes a number of steps. The tax credit in this bill is one approach. We are going to need additional steps.

Another way that it relates to economic growth and jobs is through infrastructure. We can argue about how many jobs and about what the estimates are as to how many millions will be created, but it's clear. The Secretary of Transportation has said that he can verify \$60 billion to \$70 billion in infrastructure—roads, bridges—ready to go this spring and this summer. We should be united in providing the authorization for this to happen. It should not divide us.

There is money also, as has been said, for school construction bonds and energy bonds. Also, very importantly, it relates to the expensing by small business, which is very much within the jurisdiction of the Ways and Means

Committee. That also should unite us and not divide us, and it is critical that we expend that provision.

So, for all of these reasons, I urge that we join together, rather than divide, and pass this bill.

Mr. NUNES. Madam Speaker, I yield 3 minutes to the ranking member of the Transportation and Infrastructure Committee, the gentleman from Florida (Mr. MICA).

Mr. MICA. Madam Speaker, with record national unemployment in my State, 11.8 percent unemployment, one of the top 10 unemployment States in the United States, I would love to come before the Congress and say, "Pass this bill," titled the "jobs" bill, but I can't do that today for several reasons.

First of all, let me say to those who have come before us who have said that just getting more money even in a short-term Transportation bill will get things going: I don't know the facts.

Over 1 year ago, we passed \$48 billion in stimulus money that went to the Department of Transportation. So far, as of March 2, only \$8.8 billion has been spent. This is not a 6-year bill we are passing, and that's what we should be doing to ensure that States can do long-term projects, not just the repaving of sidewalks and simple things that we've seen done. This bill does not contain the elimination of the redtape and the hoops that States have to go through for compliance to do any project. This will be our fifth extension, and it only goes to December 31.

Now, I was also told that we had to pass this because it was going to go straight to the President for his signature. Intervening, we did pass a 30-day extension. So this is not going straight to the President. We did not have an opportunity to correct the flaws in this bill.

You heard of the Senate passing—what was it?—the Nebraska deal and the Louisiana purchase. I'm telling you this is the four-State grab. California gets 30 percent of the additional money in this bill; 58 percent of the money goes to four States; 22 States get nothing.

SENATE SURFACE TRANSPORTATION EXTENSION ACT STATE-BY-STATE ALLOCATIONS OF FUNDING FOR PROJECTS OF NATIONAL SIGNIFICANCE AND NATIONAL CORRIDOR PROGRAMS

(\$932 million over the period from Oct. 1, 2009, through Dec. 31, 2010)

California—\$278 million
 Illinois—\$151 million
 Louisiana—\$59 million
 Washington—\$55 million
 Oregon—\$40 million
 Oklahoma—\$36 million
 Arkansas—\$36 million
 West Virginia—\$35 million
 Virginia—\$29 million
 Tennessee—\$27 million
 Minnesota—\$25 million
 New Jersey—\$25 million
 New York—\$25 million
 Dist. of Col.—\$19 million
 Wisconsin—\$15 million
 Colorado—\$13 million
 Pennsylvania—\$13 million
 South Carolina—\$13 million

Connecticut—\$9 million
 Alaska—\$8 million
 Michigan—\$5 million
 Indiana—\$4 million
 New Mexico—\$4 million
 Maryland—\$3 million
 Iowa—\$2 million
 Kentucky—\$2 million
 Mississippi—\$2 million
 Texas—\$2 million
 Arizona—\$1 million
 Alabama—\$0 million
 Delaware—\$0
 Florida—\$0
 Georgia—\$0
 Hawaii—\$0
 Idaho—\$0
 Kansas—\$0
 Maine—\$0
 Massachusetts—\$0
 Missouri—\$0
 Montana—\$0
 Nebraska—\$0
 Nevada—\$0
 New Hampshire—\$0
 North Carolina—\$0
 North Dakota—\$0
 Ohio—\$0
 Rhode Island—\$0
 South Dakota—\$0
 Utah—\$0
 Vermont—\$0
 Wyoming—\$0

This chart shows each State: 22 States get nothing; 46 States are disadvantaged because of the four-State grab in this, and it could and should have been corrected. If it's going back to the United States Senate, then it should be corrected so everyone is treated fairly and equitably in the distribution of transportation funds.

Mr. OBERSTAR has done his level best, and he has a written letter from Ms. PELOSI, the Speaker, and from Mr. REID to correct this after we pass it. If this were the only flaw in the bill, maybe we could look away.

You've heard from Democrats who also voted against the rule, who almost took this bill down, who also stated their objections to provisions that should have had the opportunity for at least an amendment by this body. So there has been no consideration of changing the bill and of making the appropriate fairness changes, equitable changes, so we would all be treated equitably.

Mr. ETHERIDGE. Madam Speaker, I yield 1 minute to the Speaker of the House, the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. I thank the gentleman for yielding, and I appreciate his leadership and his intensive knowledge of this legislation and how important it is for us to proceed.

Madam Speaker, I will not speak long because, the sooner we finish debate on this bill, the sooner it goes back to the Senate, the sooner it goes to the White House for signature, and the sooner jobs are created in our country.

I agree with much of what the distinguished ranking member on the committee said about wanting a 6-year bill. Our chairman, Mr. OBERSTAR, has been advocating for that, and I agree.

I also agree that the language has to be changed, and we have the commit-

ment to do that as we go forward, but that doesn't mean that Americans are not suffering, that they do not need jobs. We should act, and we should act today to bring them closer.

I want to remind our colleagues of places and times. Just over a year ago, this Congress passed the American Recovery and Reinvestment Act. As a result of that, more than 2 million jobs were saved or created. Very important. All over the country, as Members go home to their districts, they see evidence of investments in the future: Clean energy jobs for the future, the education of our children, the safety of our neighborhoods, the creation of jobs, the stabilization of our economy, the stabilization of State and local budgets. As a result of that, just think of what has happened in this one year.

In January 2009, the last year of the Bush administration, America lost 779,000 jobs. This January, we lost 20,000 jobs. We don't want to lose any jobs. We want to be on the upside. We want to be creating jobs. The point is that, following the passage of the American Recovery and Reinvestment Act and other initiatives taken by the Obama administration and this Congress, there has been a difference of over three-quarters of a million jobs in 1 month—779,000 in January, 2009, and 20,000 in January, 2010.

In the final quarter of 2008, before President Obama took office, America's GDP shrank by 6.2 percent. For that quarter, the GDP was a negative 6.2 percent. Just 1 year later, the GDP grew in the same period by 5.9 percent, over a 12 percent change in the rate of growth of the GDP thanks to the American Recovery and Reinvestment Act and to, again, other actions taken by Congress.

You know, when we were debating the Recovery bill last year at around this time, earlier in January and in February, the stock market was around 6,500–7,000. It's over 10,000 now, an increase of over 3,000 points. Yesterday, we learned that America's manufacturing base grew for the seventh straight month, and it is now at its highest level in 5 years.

Still, we must be unrelenting in our efforts to create more jobs. Too many Americans are unable to find work. In some cases, we are talking about putting people back to work. In some cases, people haven't had opportunities coming out of school. They've not been able to enter the workforce. So it is not just about putting people back to work. It is about creating a broader universe of jobs to have many more Americans participate in the economic prosperity that we hope for our country.

Today, we are taking another step in creating jobs and in laying the foundation for long-term growth and prosperity. With \$15 billion in critical investments, this bill includes a payroll tax holiday for businesses that hire unemployed workers, creating some 300,000 new jobs with that provision

alone, and an income tax credit of \$1,000 for businesses that retain employees.

There is specific support to small businesses with tax credits and accelerated writeoffs. There is the extension of the Highway Trust Fund—this is very, very important—allowing tens of billions of dollars in infrastructure investment.

This is a \$15 billion bill, but it triggers tens of billions of dollars more by eliminating a rescission of last year, by restoring the interest to the trust fund it was deprived of and by triggering further contracting, tens of billions of dollars and probably 1 million jobs in this bill alone.

□ 1430

In December, the House passed our Jobs for Main Street Act, a broader measure for creating good-paying American jobs paid for by redirecting TARP funds from Wall Street to Main Street. Today's legislation is one key element of that legislation, one key element of our agenda to get Americans back to work and to strengthen our economy.

Madam Speaker, I believe that every Member of Congress on both sides of the aisle understands the urgent need to create jobs for our country, and today we have an opportunity to do so.

I know that some people have some concerns on one side of the aisle or the other about this provision or that provision, but the fact is that 1 million jobs will be created by this legislation. Vote for jobs, vote "aye" on this legislation.

I thank Mr. ETHERIDGE and all concerned, Mr. OBERSTAR, the distinguished chairman of the Transportation Committee, and so many others, for making this important legislation possible. It is difficult, it is challenging, and more is yet to be done, but I urge my colleagues on both sides of the aisle to vote for jobs. Vote "aye" on this legislation.

Mr. NUNES. Madam Speaker, I yield myself 30 seconds.

I would like to remind my colleagues here in this House that last year there was a provision offered that didn't cost \$1 trillion, didn't cost \$1 billion, didn't cost \$1 million, didn't cost \$1, and that was a provision to let water flow to my constituents in the San Joaquin Valley of California so people could go back to work. But, instead, nearly every Democrat Member from California in this Congress opposed that amendment. So last summer we had tens of thousands of farmers and farmworkers standing in food lines in the most productive ag land in the United States or in the world.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NUNES. I yield myself an additional 15 seconds.

A zero cost provision could not go into this bill, and now we have farmworkers eating carrots imported from China. So, all this talk about jobs, it is

all phony. The American people have had enough of this nonsense.

I yield 3 minutes to my good friend, the gentleman from Ohio (Mr. LATOURETTE).

Mr. LATOURETTE. Madam Speaker, I have spoken many times on this floor about my great admiration for the chairman of the full Transportation and Infrastructure Committee, Mr. OBERSTAR, and he knows that this bill isn't fair. He knows that this bill isn't fair, because he produced a chart last week that has 50 States, plus the District of Columbia, so it is 51, and 22 States get nothing under this bill and four States walk away with 58 percent.

Not surprisingly, I heard the Speaker likes the bill. California gets 30 percent of the highway funding under this bill. Any Member who is interested is more than free to come peruse this at their leisure.

Now, I give Chairman OBERSTAR great credit, because he wasn't happy with this, I believe last week, and he fought with his leadership, and he has produced today a letter from Senator REID saying he is going to fix it sometime in the future.

Now, two things: That is the second big lie, the check is in the mail. The other thing is I hope the majority understands that a letter from Senator REID just didn't fill us on this side of the aisle with warmth and fuzzy feelings. If you want to fix the problem, fix the problem. And the problem is not fixed.

This is not a jobs bill. I also admire the Speaker of the House, but I admire her more today because she did not break into laughter when calling this a jobs bill. This is no jobs bill. This is a faux jobs bill. This is a snow jobs bill. And I look forward to the unemployment statistics tomorrow, because I believe that we are going to look at about 100,000 Americans will have lost their jobs in the last month, despite all these great successes.

Continuing with my admiration for Chairman OBERSTAR, my favorite part of the speech that he gives on the stimulus package is all of those jobs which he created through the infrastructure spending in the stimulus are 8 percent of the funding. So that means, I have to figure out the math, Mr. OBERSTAR, but that means in an \$800 billion bill, half the jobs were created by 8 percent of the funding, and that is thanks to you and the work that you and your colleagues do on the committee. So I guess the other half were created by about \$750 billion. That is a strange, strange, strange investment.

Mr. OBERSTAR. Will the gentleman yield?

Mr. LATOURETTE. I would be happy to yield.

Mr. OBERSTAR. Just briefly, if the gentleman, Madam Speaker, could assure us that there would be no Senate filibuster or hold on the bill, Senator REID would have been happy to accept our changes. But he estimated he couldn't get that through the Senate,

so he agreed to a fix in a subsequent bill. He put it in writing, and we have to accept his written commitment to do that.

I thank the gentleman for yielding.

Mr. LATOURETTE. Oh, my pleasure, and my appreciation of you grows every day. But I will tell you what; if you can crack the code of the Senate, Republican or Democrat, then you deserve much more money than you are making as the chairman of the full committee, because they are a strange bunch. It doesn't matter who is in charge; they don't seem to do anything.

Now, I want to get to the process now, because the President down at this health care summit down at Blair House said nobody cares about process.

But I have got to tell you, I have never seen this. This is my 16th year in the United States Congress. When Mr. ETHERIDGE made his motion, it says, "Mr. ETHERIDGE moves that the House concur in the Senate amendment to the House amendment to the Senate amendment with an amendment."

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NUNES. I yield the gentleman an additional 2 minutes.

Mr. LATOURETTE. I appreciate it.

I said, boy, that is really a procedural mouthful. And you know what it means? It is a procedural way to screw the minority, the Republican Party in this House. Not only can't we amend your bill, not only did we get it at 9:30 this morning, we can't offer a motion to recommit. You know what the majority leader, Mr. HOYER, would be saying if we pulled that on him when we take the majority back next year? He would be screaming bloody murder, and he would be right.

Madam Speaker, as a result of that, I would like to offer an amendment to this bill.

The SPEAKER pro tempore. Because the previous question is ordered, that would require unanimous consent, and the manager, the gentleman from North Carolina would have to yield for that request.

Mr. LATOURETTE. Then I will ask the gentleman from North Carolina to yield to me to offer an amendment to the bill. And so that the gentleman doesn't think that I am sandbagging him, let me tell you what it is going to be.

I would move to amend this bill to transfer the \$13 billion in this sham tax credit, that is not going to create one job and is really the dumbest idea I ever heard, to infrastructure spending.

I would further have it in that amendment that the infrastructure spending, now at \$14 billion, be distributed pursuant to the House proposal that Mr. OBERSTAR has proposed, which means every State in the Union benefits, not just California, not just States that are walking away with a bunch of money.

Will the gentleman from North Carolina yield to me for the purpose of offering an amendment?

Mr. ETHERIDGE. Will the gentleman yield?

Mr. LATOURETTE. I yield to the gentleman from North Carolina.

Mr. ETHERIDGE. I thank the gentleman for his willingness to help, but the rule does not provide for that.

Mr. LATOURETTE. Mr. ETHERIDGE, we are going to give it another shot, because we are not going to be able to hide behind "the rule doesn't offer it." I said that. The rule doesn't provide for an amendment. The rule doesn't even provide for a motion to recommit, the only tool in the minority's toolbox.

Mr. ETHERIDGE. I ask unanimous consent—well, first of all, I guess you need to yield to me for a unanimous consent request. Would you yield to me for a unanimous consent request?

Do I have to ask him to yield to me, or do I yield to him to yield to me?

The SPEAKER pro tempore. The gentleman from North Carolina would have to yield for any unanimous consent request.

Mr. LATOURETTE. Mr. ETHERIDGE, I am asking you to yield to me so I can make a unanimous consent request that you can deny.

Mr. ETHERIDGE. It is your time.

Mr. LATOURETTE. No, I am asking you, sir, to yield to me.

Mr. ETHERIDGE. No. The rule does not provide for it.

Mr. LATOURETTE. Well, that is nonsense, first of all, because the Speaker has just indicated that if you would yield to me, I could make my unanimous consent request.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NUNES. I would like to yield the gentleman an additional 1 minute.

Mr. LATOURETTE. Well, I am going to tell you what, Mr. ETHERIDGE. If you would yield to me, which apparently you can under the rules but don't want to because you think the rule says so, which it clearly doesn't, here is the deal. I want to make a unanimous consent request that the \$13 billion in this worthless tax credit be transferred to infrastructure spending; further, that that additional \$13 billion be distributed pursuant to the House plan, as opposed to the Senate plan, the Senate plan rewarding only four States with 58 percent of money, 22 States getting zero.

Now, Mr. ETHERIDGE, I am asking you to yield to me for that purpose.

Mr. ETHERIDGE. What was the gentleman's request?

Mr. LATOURETTE. I am asking you to yield to me for the aforementioned unanimous consent request.

Mr. ETHERIDGE. The gentleman is doing the same thing that happened in the other body. We are just trying to slow down a piece of legislation that needs to move to get to the President's desk so it can be signed so we can help the American people.

Mr. LATOURETTE. So that is a no. Is that a no? I still have the time, Mr. ETHERIDGE. Is that a no?

Mr. ETHERIDGE. The rules do not provide for that. You would need a unanimous consent request to do that.

Mr. LATOURETTE. Do you know what that is? That is a soup sandwich answer, because the Speaker has just said you could do it.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ETHERIDGE. Madam Speaker, I yield 2 minutes to the gentleman from Rhode Island (Mr. LANGEVIN).

(Mr. LANGEVIN asked and was given permission to revise and extend his remarks.)

Mr. LANGEVIN. Madam Speaker, I thank the gentleman for yielding and for his outstanding work on this important bill.

I rise in strong support of H.R. 2847, the HIRE Act, which will strengthen our economy by limiting job loss and creating new employment opportunities. In addition to provisions that will spur investment in infrastructure and construction projects, this bill provides much-needed assistance and attention and support for small businesses in America. This bill includes a payroll tax holiday for businesses that hire unemployed workers and tax cuts to help small businesses expand and hire more workers.

Small businesses, Madam Speaker, have borne the brunt of this economic crisis, and their inability to access credit to keep their businesses operating has clearly added to the high unemployment rate across the Nation, especially in my home State of Rhode Island, which has right now the second highest unemployment rate in the country.

So, Madam Speaker, I urge my colleagues to support this jobs measure, as well as working on additional legislation that helps small businesses and unemployed workers. Our job is to create jobs, Madam Speaker, and that is exactly what this piece of legislation before us does today.

I thank you and urge my colleagues to support this important jobs bill.

Mr. NUNES. Madam Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Madam Speaker, first of all, let me say to the majority, I am glad you have offset this money. I think that is a significant step for both parties, to have a spending bill offset. So I want to get that out of the way.

Having said that, I have got to say that I am very leery of another government spending program to address jobs. We are here because last year we spent nearly—well, we did spend \$800 billion on a stimulus program that was supposed to keep us from going to 8 percent unemployment. Now we are at 10 percent unemployment.

The stimulus program before just added 31 brand new Federal programs and increased spending. I am ranking member of the Agriculture Committee, and spending in the USDA has gone up 26 percent. At some point we are going to figure out the Federal Government doesn't have the solution for everything.

This is not our only stimulus proposal or jobs proposal. In May of 2008, we had a \$168 billion stimulus program that did not work. In March of 2008, the Federal Reserve said, well, we are going to shore up Wall Street with Bear Stearns, \$29 billion. In July of 2008, the Democrat Congress and President Bush came in with a \$200 billion bailout of Fannie Mae in order to shore up real estate. And not to be outdone, the Federal Reserve weighed back in a month later with the AIG bailout, \$85 billion, now up to \$140 billion, that was supposed to avert financial collapse, and yet it did not. And then in October of 2008, we had a \$700 billion TARP bill. Then in January 2009, under President Obama, we had a \$410 billion omnibus spending bill that was supposed to shore up the economy.

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Of course, that brings me back to the other stimulus program. After a while, we're going to figure out everything we do is like Cash for Clunkers. It just doesn't work. If we want to help small businesses, we've got to quit spending money, number one.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NUNES. I yield the gentleman an additional 30 seconds.

Mr. KINGSTON. I thank the gentleman.

Number two, we need to let community banks be released from some of the overbearing and unnecessary regulations in which they have to comply, because that causes them not to be able to lend money and thus small businesses are tied up in a credit crunch. Number three, we've got to let small businesses compete. We set rules. Big Business and Big Government set rules so that small businesses can't compete. There are things we can do. There are things we can do together on a bipartisan basis. We need to vote this bill down so that we can get to them.

Mr. ETHERIDGE. Madam Speaker, I yield myself 10 seconds to remind the gentleman that how we got here was the American people lost somewhere in the neighborhood of \$15-plus trillion in value of their homes and assets over the 18 months through July of last year until we passed something and started to turn it around. Since then, they've gained about \$5 trillion back in, but we've got a ways to go.

I now yield 1 minute to the gentleman from Kentucky (Mr. CHANDLER).

Mr. CHANDLER. I thank my friend from North Carolina. I rise today in support of H.R. 2847, the Hiring Incentives to Restore Employment Act, or the HIRE Act. This piece of legislation will help our small businesses heal during these tough economic times and help unemployed Kentuckians find good, local jobs. The HIRE Act cuts taxes for our small businesses and makes it possible for them to hire new employees, making our small companies stronger and creating jobs for out-of-work Kentuckians.

Madam Speaker, the unemployment rate is around 11 percent in the Commonwealth of Kentucky, and we have to do all we can to create and save jobs throughout this Nation. Small businesses are the backbone of our economy and the engines of job creation. Investing in the long-term health of our small businesses is one of the surest ways to economic recovery.

This legislation isn't just about small businesses, though. It's about helping that mom, that dad who was laid off in the midst of this recession find a good-paying, local job.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ETHERIDGE. I yield the gentleman an additional 15 seconds.

Mr. CHANDLER. I urge my colleagues on both sides of the aisle to vote in favor of this legislation today because a vote for this legislation is a vote for middle class families; for small, innovative start-ups; and the long-term economic health of central Kentucky and the Nation.

Mr. NUNES. I yield myself 30 seconds.

Madam Speaker, I still have yet to have someone explain to me from the other side of the aisle how the trillion-dollar stimulus bill passed last year that was supposed to create 3.7 million jobs—instead, we lost 3 million—and how this bill that spends \$13-or-so billion—still a lot money, but not nearly a trillion dollars—is going to create a million jobs, as they continue to repeat on that side of the aisle. I would like for someone to answer the question.

I reserve the balance of my time.

Mr. ETHERIDGE. I yield 2 minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. I can answer the gentleman's question. There's a different emphasis. The emphasis is on small business, which is an incredible economic engine in my State and in many other States across the country. Secondly, there is an extraordinary emphasis on transportation infrastructure.

The gentleman may be unaware that in August of this year the Transportation Infrastructure Trust Fund is going to fall short of funds, delaying reimbursement to the States and stalling out needed projects and investment all across the country. This bill fixes that, and once and for all we will in the future get interest on money borrowed from the highway trust fund. That's what people pay gas taxes for. It's not supposed to be spent somewhere else. We're now going to reclaim that money, and we're going to spend it putting people to work and rebuilding the crumbling infrastructure of this country. It will give us a billion dollars more a month.

I heard the gentleman from Ohio talking about 58 percent of the bill. Well, no. Actually, what he was concerned about was 58 percent of 1.2 percent of the bill, which is .7 percent of the bill, which, under the agreement

the chairman has reached with the leader of the Senate, will be fixed in the near future. In fact, Ohio will get an extra \$38 million because of that, and my State will get less. So I don't know what he's complaining about. If somebody should be down here complaining, it should be me.

Mr. LATOURETTE. Will the gentleman yield?

Mr. DEFAZIO. I will not yield.

But I felt it was fair to put that money into the overall formula so that all 50 States would benefit, because everybody, almost every State, is suffering high unemployment, particularly the gentleman's State and my State. And this agreement the chairman has will bring an extra \$38 million to his State, a billion dollars a month more in infrastructure spending; and for every billion we spend in infrastructure, we put about 33,000 more people to work. We sure as heck need those jobs.

So I stand here saying we need to pass this bill. Yeah, the Senate is dysfunctional. It's a mess. It would have been cleaner to do it all at once. But this is the best we can do, dealing with a body that is just ridiculous.

Mr. NUNES. Madam Speaker, I'd like to yield myself 15 seconds.

Madam Speaker, simple math: If you're going to spend \$13 billion to create a million jobs, then why don't we just spend another \$200 billion and we create 16 million jobs, and everybody would have a job.

I'd like to yield 2 minutes to my friend to clarify an earlier point, the gentleman from Ohio (Mr. LATOURETTE).

Mr. LATOURETTE. I promise not to try to amend the bill or anything else. It's just sad that the distinguished chairman of the Surface Transportation Committee wouldn't yield to me, but it doesn't surprise me. He likes this bill. Oregon gets \$40 million under the bill, of the \$1 billion, and only \$11 million under Mr. OBERSTAR's proposal.

Are you going to give me a 7 percent thing or are you going to say that's not true? I'll yield to you if you don't think it's true.

Mr. DEFAZIO. I have signed off on the chairman's agreement, and my State will not get those other funds.

Mr. LATOURETTE. That's what I'm talking about.

Mr. DEFAZIO. I don't know what the gentleman's complaining about. You'll get an extra \$38 million and I'll get about \$30 million less.

Mr. LATOURETTE. Well, here's the skinny: That depends upon HARRY REID's putting a letter in the mail, sending it over to the chairman and the Speaker, and having another bill. Now, no disrespect to your majority, but you haven't done such a great job in passing bills since you guys took over 4 years ago. So waiting for another bill to come—and, quite frankly, trying not to be partisan about this, but this mess was created by George Bush and it is perpetuated by President

Obama because his Transportation Secretary says they don't want to deal with the 6-year bill until March of 2011. Thirty percent of the construction trade in this country is out of work. Why wouldn't you do this?

To my distinguished friend from Oregon, all I was asking was for his State to do better. Transfer the \$13 billion from this worthless tax credit and put it into infrastructure. Put these guys to work. Actually build something. Again, going back to Mr. OBERSTAR's wonderful speech that he always gives: a million jobs with only 8 percent of that \$800 billion. Wouldn't it be great if we could give JIM OBERSTAR \$14 billion to create jobs for America rather than coming up with this goofy tax credit that says if you hire somebody for \$30,000, we're going to waive the payroll tax for November and December. Guess what? You can save \$1,500 if you just give somebody a \$30,000 job. It's nuts. This bill is wrong. That's what I was talking about.

Mr. ETHERIDGE. I reserve the balance of my time.

Mr. NUNES. Madam Speaker, if there are no additional speakers, I'm prepared to close.

Madam Speaker, during this entire debate today, as the gentleman from Ohio said, this is just a sham. And to sit here and complain about the Senate and procedural things, I mean, we ought to do another Shamwow Summit at the White House. Maybe that would clarify and fix the problems.

We're not Senators. We don't control the Senate. I don't understand the math that you guys use. No one has answered it yet. You guys spent a trillion dollars last year, said you were going to create 3.7 million jobs, but you lost 3 million jobs. Now you say you're going to spend \$15 billion and now you're going to create a million jobs. So let's go over some math just so we can clarify things, because I know we're going to continue to hear that Republicans are obstructionists, Republicans have no plans. So let me just go over some math that perhaps folks will understand.

The Democrats have 250-some-odd votes in this House. It only takes 218 votes to pass a bill. In the U.S. Senate you still have almost a supermajority with 59 votes. So what is the problem? Quit calling Republicans obstructionists. You have the White House, you have the Senate, you have the House of Representatives. No more Shamwow Summits, Madam Speaker. Let's get back to work. Vote "no" on this bill. This is a scam.

I yield back the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair.

Mr. ETHERIDGE. Madam Speaker, today we have an opportunity to start the process of putting people back to work, and I would encourage my colleagues on both sides of the aisle to support this piece of legislation. The

piece that some of my colleagues on the other side have complained about on the tax credits for small businesses will be used to put people to work. And I would remind them that there were nine Republican Senators on the other side who joined as cosponsors in this piece of legislation. So it was bipartisan on the Senate side.

The HIRE Act really does four key things. Let me remind my colleagues, in closing: First, it will give direct tax incentives to businesses to hire new workers with provisions similar to the bill that I introduced earlier this year. It also restores full value of direct payment options for certain tax credit bond programs, including a program that has been supported in previous Congresses.

Let me speak on that for just a minute because it goes to the heart of the problem we're about. If we really believe and say we're for children, if we really say we're for jobs, there are \$22 billion worth of zero interest school bonds, tax exempt bonds, in this bill. And this bill fixes the problem so they can go directly to Treasury and get the credit. Those job bonds can be sold and we can put people to work across this country building schools and other infrastructure. That's in addition to the highway dollars we've just been talking about.

Finally, Madam Speaker, it would give a small business tax incentive to buy new equipment and to grow. That is an important piece. If we truly believe we are for small businesses, today is the day we get a chance to put a vote on the board: Are we for them or are we against them? They can tell very quickly because this bill will go to the Senate, and then it's going to the President of the United States for signing.

Finally, it would give our State and local governments greater certainty on funding for highway projects that we just heard about. I have long believed that if we invest in schools now, it will save money in the long term and make our economy stronger and make a difference in the future. I served for 8 years as State superintendent of the schools in my home State. I coauthored the provision that we're talking about here. We can now fix that problem.

Madam Speaker, I urge my colleagues to vote "yes" on this piece of legislation for jobs for the American people, schools for our children, and a chance to help heal and help those who do not now have work.

Mr. CONYERS. Madam Speaker, I rise in opposition to H.R. 2847, the "HIRE Act." While I am sensitive to the excruciating economic pain felt by many in my district and around the country, I cannot in good conscience support this flawed bill.

I applaud the House and Senate leadership for including some common sense job creation provisions in this bill. In particular, I support the inclusion of language that frees up \$77 billion dollars worth of surface transportation investments and another provision that gives the

recipients of qualified clean energy, school construction, and energy conservation bonds a direct payment from the federal government to cover their interest costs.

I wish that these provisions were enough to secure my support for this legislation and help those who cry out for additional economic aid. Unfortunately, the originators of this legislation—my colleagues in the United States Senate—decided to set aside the remaining \$13 billion dollars of this \$17 billion dollar bill for an ineffective and wasteful hiring tax credit. As with many previous efforts in the upper chamber, the Senate has yet again sacrificed effective policy in order to tout some small measure of bipartisan support.

During my 45 years in this body, we have debated whether or not to raise the minimum wage countless times. As we know from these reoccurring debates, companies do not respond to small changes in the cost of labor. This is why the periodic 15 to 20 percent increases in the minimum wage enacted into law by the Congress over the years have not effected employer hiring decisions. Unfortunately, the very economic reality that makes the minimum wage good policy also makes the Schumer-Hatch hiring credit bad policy.

If a 15 to 20 percent increase in the minimum wage doesn't affect employer decision-making, logic dictates that an even smaller payroll tax break—6.2 percent to be exact—for companies that hire recently unemployed workers will similarly have a nonexistent effect on hiring. This bill will create yet another failed corporate "trickle-down" tax break and Congress will hand out a new benefit—paid with scarce taxpayer resources—to employers who hire workers they would have hired anyway.

This is not to say that a properly conceived tax policy couldn't receive bipartisan support or play an important role in spurring hiring. For example, I have proposed legislation that is supported by many economists and organizations on both the left and right that would save millions of jobs at minimal cost to the federal government. My "SHARE Credit Act" would provide a tax credit to employers that shorten hours instead of firing workers. For a mere \$22,000 dollars a worker, we could cheaply and efficiently stem the monsoon of layoffs reported each month by the Labor Department.

However, above and beyond mere tax policy, Members on both sides of the aisle know that we need to do more. Ending the unacceptably high levels of unemployment that plague our economy will require us to attack this epidemic using all the tools of the federal government. This means coupling progressive tax measures with public works job hiring initiatives and a commitment to full employment. To do anything else would be a betrayal of the fundamental trust given by those who elected us. Each of us comes to Washington with a simple task: Address the most critical issues that face the Nation by using the most effective tools at our disposal. No bonus points are awarded for bipartisan legislation that does not meet this high standard.

A bill whose major component is a meaningless giveaway to corporate America cannot be called a jobs bill. At a minimum, the Senate should conference the \$150 billion dollar jobs package that the House passed last December. Uneven and piecemeal legislative efforts like this bill must be the exception, not the norm. I encourage my colleagues to oppose this bill.

Mr. SENSENBRENNER. Madam Speaker, I rise today in opposition of this so-called jobs bill. The incentives in this bill are a rehashing of the failed policies of the Carter Administration's stimulus in 1977, and I do not believe these measures will truly create jobs.

The news reports daily that Americans are not only hurting with the downturn of the economy, but they are also fearful that their government will continue to recklessly spend in the name of economic recovery. Last year, stimulus legislation was passed in this House, promising that a trillion dollars robbed from future generations of Americans would create jobs immediately and unemployment would not rise above 8 percent. The truth, however, is that since this boondoggle became law, unemployment hasn't fallen below 8 percent; it has risen to over 10 percent, and still hovers at just under 10 percent. Millions of jobs have been lost since the recession began, and Washington's only answer has been to spend money.

Wisconsinites have been contacting me with their concerns daily since President Obama first announced this plan in the State of the Union Address. While it is noble for Washington to suspend payroll taxes for employers that hire new workers, enact a \$1,000 tax credit for retaining employees, and increase the expensing of new equipment purchased by small businesses, I fear that these measures are merely a superficial solution. Employers will not be able to take advantage of these incentives if they do not have work to offer. It is common sense that employers hire workers because they have work that needs to be done, not because they will get a tax credit. The fact remains that businesses in this country are scared. They are scared by the uncertainty that Congress is projecting. The threat of increased taxes, increased government regulation, and costly government mandates are creating an environment that does not bode well for job seekers.

We must focus on increasing businesses' confidence that their government will not further hamper their abilities to create work. At the end of the day, this legislation is a drop in the bucket, it is not the solution. Only after long-term tax relief can we realize long-term economic recovery.

Mr. BACA. Madam Speaker, tomorrow, the new monthly labor statistics will be announced.

And even though the national unemployment may decrease, job creation still needs to be our number one priority moving forward.

Thankfully, later today, we will have a chance to take a major step in improving the economic outlook for families across America.

The HIRE Act will provide over \$77 billion in investments in transportation projects.

It will also allow for a continuation of minority-owned business contracting requirements for these projects.

Incentives for hiring and retaining new employees will be implemented.

Additionally, a direct payment option for certain tax credit bond programs will increase school construction and renewable energy projects.

The time for partisan talking points has passed.

The American people demand better and we will have a chance to deliver that relief later today.

I urge my colleagues on both sides of the aisle to pass the HIRE Act and put Americans back to work.

Mr. HOYER. Madam Speaker, last year, President Obama and the 111th Congress took their oaths of office as America faced the greatest economic crisis since the Great Depression. Since then, our work has been defined by our response to the crisis—by the overriding job of getting Americans back to work.

Of course, the most important step toward putting Americans back to work has been the Recovery Act. It cut taxes for small businesses and 95% of families, started thousands of job-creating projects across America, provided emergency assistance to those hit hardest by the recession, saved states from laying off teachers, firefighters, and police officers, and more. And despite the efforts of some partisan critics to call it a failure—even as many of those same critics eagerly take credit for the funds it has provided for their districts—the Recovery Act is working.

The Recovery Act created some 2 million jobs. And since President Obama took office, job losses are down 90%. Our economy is growing again: in the most recent quarter, it grew by 5.9%, the fastest rate in six years, and the second straight quarter of growth under President Obama.

All of that is real progress for our economy—but it is not yet success. In recession after recession, employment has been the last sign of growth to turn around. Far too many Americans remain unemployed through no fault of their own, caught in the effects of an economic collapse they did not create. For working families, few challenges are more trying than unemployment, especially unemployment that grinds on for month after month. For Washington, few challenges demand our action more urgently.

That's why I urge my colleagues to pass this bill—a clear, focused effort at putting Americans back to work. It provides strong incentives for businesses to start hiring again. They include a tax exemption that will eliminate businesses' 2010 payroll taxes for every unemployed worker hired. The nonpartisan Congressional Budget Office reports that such tax credits are one of the most effective ways of creating jobs: "Providing tax credits for increases in payrolls would increase both output and employment." Businesses will also receive further tax credits for keeping new employees on the payroll for the next year. And small businesses will be able to take advantage of tax incentives to finance their expansion.

This bill also extends the highway programs that have created jobs for so many Americans, while bringing our vital infrastructure up to par with the rest of the world's. This bill will mean billions more invested in job-creating highway projects, which will save one million jobs. It will ensure that states direct some of their transportation investment to minority-owned contractors. And it will make it easier for states and local communities to finance their own job-creating projects by selling Build America Bonds.

Finally, I want to point out that this bill is paid for—that it fully complies with both the House PAYGO rule and statutory PAYGO, which are so important to restoring our budget to balance. In fact, this bill fixes a minor PAYGO violation in the Senate bill—and that extra effort shows how serious the House is about paying for what our country buys.

Unemployment demands action from Congress. And this bill is a part of that effort to

create jobs, which began with the Recovery Act and will continue with a wide range of creative policies in the weeks ahead. This bill is not the first step, and it will not be the last; but it is an essential step toward getting America back to work.

Ms. KILPATRICK of Michigan. Madam Speaker, the State of Michigan's unemployment is 687,400 people unemployed. Detroit has 305,200 people unemployed. We have 15 million people unemployed in our nation. America and Americans are practically shouting for Congress to get Americans back to work. The best stimulus package is a job. H.R. 2847, the Hiring Incentives to Restore Employment Act, is not that bill. This legislation, providing tax incentives to businesses to hire people. This is not the answer. How Congress can walk away with more than 680,000 people unemployed in Michigan, and more than 15 million people unemployed in our nation, is shameful.

When I served as Chairwoman of the Congressional Black Caucus, along with my CBC colleagues, I pushed for more than two years for both a strong summer jobs program and a federal bill that would directly hire the unemployed. This is a bill that is modeled off of the successful Comprehensive Employment Training Act (CETA) program of the 1970s–1980s. The CETA program, which gave grants directly to cities, counties, and non-profit organizations to hire and train individuals, worked to lower our unemployment rate and stabilize our economy during the previous recession. It would be easy to make this legislative fix not next week, not next month, but right now. During the Depression, President Franklin Roosevelt almost halved the unemployment rate with a similarly aggressive program under the Work Progress Administration. I am ashamed and disgusted that the U.S. House of Representatives cannot find the collective political courage and will to do what is needed for the people of America.

What does a real jobs bill look like? In addition to what I have pointed out earlier, a real jobs bill would:

Create public jobs initiatives, involving the Department of Labor Employment & Training Administration and the Corporation for National and Community Service, to maximize direct training and hiring;

Provide locally-directed funding for Summer Youth Employment and collegiate-level apprenticeships and/or fellowships;

Enforce the minority contracting requirements under the Department of Transportation and promoting equal access to funding for projects of the National Significant and National Corridor grants in the extension of SAFETEA-LU;

Expand unemployment insurance and COBRA benefits; and

Provide access to capital and technical assistance to capital for small businesses from the Small Business Administration and the Minority Business Development Agency.

I am sure that there are other areas, but these areas, in particular, would be a great place to start.

I know too well that the Democrats have inherited the worst job market since World War II. Too many workers have lost their jobs through no fault of their own. GM and Chrysler have gone bankrupt. We are staring down the barrel of a \$12 trillion deficit. This fiscal year, we have to make difficult decisions. All Ameri-

cans, in Congress, in business and at home, must work together to keep our recovery on track by helping small businesses create jobs, investing in our infrastructure and clean energy industries, and keeping police, firefighters, and teachers on the job. This bill is not that bill.

I understand politics. I know the legislative process. It is my belief that this bill is supposed to be the first in a series of bills that is to address the chronically unemployed. Regrettably, I also heard this more than two years ago. Today, Congress is no closer to a real jobs bill two years later. The time for incrementalism is over.

I remain a proud and steadfast supporter of the American Recovery and Reinvestment Act. Hundreds of thousands of jobs and businesses have been helped. However, that bill was meant as a quick, temporary fix for businesses and to help stimulate the economy. Employment was a welcome by-product of that law. 15 million people who are still unemployed are telling us that we need to do more. We need to do it now.

This is not a jobs bill. This is a business tax cut bill. While I remain willing and able to work with my colleagues for a real jobs bill, I cannot support this tax cut legislation.

Mr. VAN HOLLEN. Madam Speaker, I rise in support of the Hiring Incentives to Restore Employment, HIRE, Act as an important part of the ongoing jobs agenda Congress will continue to prioritize in the months ahead. Simply put, we will not stop until every American who wants a job can find one, and we have launched a new era of broadly shared American prosperity.

To boost near term employment while tackling our nation's infrastructure backlog, the HIRE Act extends the current surface transportation law through the end of 2010 and provides \$77 billion to get our nation's highways, roads and public transit systems back into shape. A new direct payment option for states and localities that issue tax credit bonds for school construction, energy conservation and renewable energy will further support job creation in these vital sectors.

I am pleased that this legislation continues support for our job-generating small businesses by extending the enhanced expensing begun in the Recovery Act. Under this provision, small businesses will be able to immediately write off up to \$250,000 for qualified capital expenditures incurred in 2010.

Finally, as a signature initiative, this bill will encourage businesses to hire new workers by providing a payroll tax holiday equal to the employer's share of social security taxes for every new hire made between February 3, 2010 and January 1, 2011. An additional \$1000 tax credit is provided for every employee kept on for a full calendar year.

Madam Speaker, the HIRE Act will put more Americans back to work providing for their families and participating in our ongoing economic recovery. It is fully paid for and deserves my colleagues' support.

Mr. ETHERIDGE. I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1137, the previous question is ordered.

The question is on the motion offered by the gentleman from North Carolina (Mr. ETHERIDGE).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. ETHERIDGE. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion offered by the gentleman from North Carolina (Mr. ETHERIDGE) will be followed by a 5-minute vote on the motion to suspend the rules and adopt House Resolution 1079.

The vote was taken by electronic device, and there were—yeas 217, nays 201, not voting 14, as follows:

[Roll No. 90]

YEAS—217

Ackerman	Gutierrez	Nye
Adler (NJ)	Hall (NY)	Oberstar
Altmire	Halvorson	Obey
Andrews	Hare	Oliver
Arcuri	Harman	Ortiz
Baca	Heinrich	Owens
Baldwin	Herseth Sandlin	Pallone
Barrow	Higgins	Pascarell
Becerra	Hill	Pelosi
Berkley	Himes	Perlmutter
Berman	Hinchey	Peters
Berry	Hinojosa	Peterson
Bishop (GA)	Hirono	Pingree (ME)
Bishop (NY)	Hodes	Pomeroy
Blumenauer	Holden	Price (NC)
Bocchieri	Holt	Quigley
Boren	Honda	Rahall
Boswell	Hoyer	Rangel
Boucher	Inslee	Reyes
Boyd	Israel	Rodriguez
Brady (PA)	Kagen	Ross
Braley (IA)	Kanjorski	Rothman (NJ)
Bright	Kaptur	Roybal-Allard
Butterfield	Kennedy	Ruppersberger
Camp	Kildee	Ryan (OH)
Cao	Kilroy	Salazar
Capuano	Kissell	Sánchez, Linda
Cardoza	Klein (FL)	T.
Carnahan	Kosmas	Sanchez, Loretta
Carney	Kratovil	Sarbanes
Carson (IN)	Kucinich	Schakowsky
Castor (FL)	Langevin	Schauer
Chandler	Larsen (WA)	Schiff
Childers	Larson (CT)	Scott (GA)
Chu	Levin	Scott (VA)
Clyburn	Lewis (GA)	Serrano
Cohen	Lipinski	Sestak
Connolly (VA)	Loebach	Shea-Porter
Cooper	Lofgren, Zoe	Sherman
Costa	Lowey	Shuler
Costello	Luján	Sires
Courtney	Lynch	Skelton
Cuellar	Maffei	Slaughter
Cummings	Maloney	Smith (WA)
Davis (AL)	Markey (CO)	Snyder
Davis (CA)	Markey (MA)	Space
Davis (TN)	Marshall	Speier
DeFazio	Matheson	Spratt
DeGette	Matsui	Stark
Delahunt	McCarthy (NY)	Stupak
DeLauro	McCollum	Sutton
Dicks	McDermott	Tanner
Dingell	McGovern	Taylor
Donnelly (IN)	McIntyre	Teague
Doyle	McMahon	Thompson (CA)
Duncan	McNerney	Tierney
Edwards (TX)	Meek (FL)	Titus
Ehlers	Meeks (NY)	Tonko
Ellison	Melancon	Tsongas
Ellsworth	Michaud	Van Hollen
Engel	Miller (NC)	Velázquez
Etheridge	Miller, George	Walz
Farr	Minnick	Wasserman
Fattah	Mollohan	Schultz
Filner	Moore (KS)	Watson
Foster	Moran (VA)	Waxman
Frank (MA)	Murphy (CT)	Weiner
Garamendi	Murphy (NY)	Welch
Giffords	Murphy, Patrick	Wilson (OH)
Gonzalez	Murphy, Tim	Woolsey
Gordon (TN)	Nadler (NY)	Wu
Grayson	Napolitano	Yarmuth
Green, Gene	Neal (MA)	Young (AK)

NAYS—201

Aderholt	Austria	Baird
Akin	Bachmann	Barrett (SC)
Alexander	Bachus	Bartlett

Barton (TX)	Green, Al	Pastor (AZ)
Biggert	Griffith	Paul
Bilbray	Grijalva	Paulsen
Bilirakis	Guthrie	Payne
Bishop (UT)	Hall (TX)	Pence
Blackburn	Harper	Perriello
Blunt	Hastings (FL)	Petri
Boehner	Hastings (WA)	Pitts
Bonner	Heller	Platts
Bono Mack	Hensarling	Poe (TX)
Boozman	Herger	Polis (CO)
Boustany	Hunter	Posey
Brady (TX)	Inglis	Price (GA)
Broun (GA)	Issa	Putnam
Brown (SC)	Jackson (IL)	Radanovich
Brown, Corrine	Jackson Lee	Rehberg
Brown-Waite,	(TX)	Reichert
Ginny	Jenkins	Richardson
Buchanan	Johnson (GA)	Roe (TN)
Burgess	Johnson (IL)	Rogers (AL)
Burton (IN)	Johnson, E. B.	Rogers (KY)
Buyer	Johnson, Sam	Rogers (MI)
Calvert	Jones	Rohrabacher
Cantor	Kilpatrick (MI)	Rooney
Capito	King (IA)	Ros-Lehtinen
Carter	King (NY)	Roskam
Cassidy	Kingston	Royce
Castle	Kirk	Rush
Chaffetz	Kirkpatrick (AZ)	Ryan (WI)
Clarke	Kline (MN)	Scalise
Clay	Lamborn	Schmidt
Cleaver	Lance	Schock
Coble	Latham	Schrader
Coffman (CO)	LaTourette	Sensenbrenner
Cole	Latta	Sessions
Conaway	Lee (CA)	Shadegg
Conyers	Lee (NY)	Shimkus
Crenshaw	Lewis (CA)	Shuster
Culberson	LoBiondo	Simpson
Davis (IL)	Lucas	Smith (NE)
Davis (KY)	Luetkemeyer	Smith (NJ)
Deal (GA)	Lummis	Smith (TX)
Dent	Lungren, Daniel	Souder
Diaz-Balart, L.	E.	Stearns
Diaz-Balart, M.	Mack	Sullivan
Doggett	Manzullo	Terry
Dreier	Marchant	Thompson (MS)
Driehaus	McCarthy (CA)	Thompson (PA)
Edwards (MD)	McCaul	Thornberry
Emerson	McClintock	Tiberi
Flake	McCotter	Towns
Fleming	McHenry	Turner
Forbes	McKeon	Upton
Fortenberry	McMorris	Visclosky
Fox	Rodgers	Walden
Franks (AZ)	Mica	Wamp
Frelinghuysen	Miller (FL)	Waters
Fudge	Miller (MI)	Watt
Gallegly	Miller, Gary	Westmoreland
Garrett (NJ)	Mitchell	Whitfield
Gerlach	Moore (WI)	Wilson (SC)
Gingrey (GA)	Moran (KS)	Wittman
Gohmert	Myrick	Wolf
Goodlatte	Neugebauer	Young (FL)
Granger	Nunes	
Graves	Olson	

NOT VOTING—14

Bean	Eshoo	Linder
Campbell	Fallin	Massa
Capps	Hoekstra	Schwartz
Crowley	Jordan (OH)	Tiahrt
Dahlkemper	Kind	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining in this vote.

□ 1530

Messrs. WITTMAN, CARTER, and CONYERS changed their vote from “yea” to “nay.”

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. CAPPS. Madam Speaker, on rollcall No. 90, had I been present, I would have voted “yes.”

Ms. SCHWARTZ. Madam Speaker, on rollcall No. 90, had I been present, I would have voted “yes.”

Mr. KIND. Madam Speaker, I was unable to have my vote recorded on the House floor during the vote on H.R. 2847 on Thursday, March 4, 2010 because I was detained due to a meeting with the President of the United States. Had I been present, I would have voted in favor of H.R. 2847 (Roll No. 90).

Stated against:

Ms. BEAN. Madam Speaker, I was inadvertently detained and I was unable to cast a vote on March 4, 2010. If I had been present I would have cast the following vote:

Rollcall 90—On motion to Concur in the Senate Amendments with an Amendment to H.R. 2847: “No.”

□ 1530

CONGRATULATING NFL CHAMPION NEW ORLEANS SAINTS

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 1079, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Louisiana (Mr. MELANCON) that the House suspend the rules and agree to the resolution, H. Res. 1079, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 375, nays 1, answered “present” 3, not voting 53, as follows:

[Roll No. 91]

YEAS—375

Aderholt	Brown-Waite,	Davis (TN)
Adler (NJ)	Ginny	DeGette
Akin	Buchanan	Delahunt
Alexander	Burgess	DeLauro
Altmire	Burton (IN)	Dent
Andrews	Butterfield	Diaz-Balart, M.
Austria	Calvert	Dicks
Baca	Cantor	Dingell
Bachmann	Cao	Donnelly (IN)
Bachus	Capito	Dreier
Baird	Capps	Driehaus
Baldwin	Capuano	Duncan
Barrett (SC)	Cardoza	Edwards (MD)
Barrow	Carnahan	Ehlers
Bartlett	Carney	Ellison
Barton (TX)	Carson (IN)	Ellsworth
Bean	Carter	Emerson
Becerra	Cassidy	Engel
Berkley	Castle	Etheridge
Berman	Castor (FL)	Fattah
Berry	Chandler	Filner
Biggert	Childers	Flake
Bilbray	Chu	Fleming
Bilirakis	Clarke	Forbes
Bishop (GA)	Clay	Fortenberry
Bishop (NY)	Clyburn	Foster
Bishop (UT)	Coble	Fox
Blackburn	Coffman (CO)	Frank (MA)
Blunt	Cohen	Franks (AZ)
Bocchieri	Cole	Frelinghuysen
Boehner	Conaway	Fudge
Bonner	Connolly (VA)	Gallegly
Bono Mack	Conyers	Garrett (NJ)
Boozman	Cooper	Gerlach
Boswell	Costa	Giffords
Boucher	Costello	Gingrey (GA)
Boustany	Courtney	Gohmert
Brady (PA)	Crenshaw	Gonzalez
Brady (TX)	Crowley	Goodlatte
Braley (IA)	Cuellar	Gordon (TN)
Bright	Culberson	Granger
Broun (GA)	Cummings	Graves
Brown (SC)	Davis (CA)	Grayson
Brown, Corrine	Davis (IL)	Green, Al
	Davis (KY)	Green, Gene

Griffith	Marchant	Ruppersberger
Guthrie	Markey (CO)	Rush
Hall (NY)	Markey (MA)	Ryan (OH)
Hall (TX)	Matheson	Ryan (WI)
Halvorson	Matsui	Salazar
Hare	McCaul	Sánchez, Linda
Harman	McClintock	T.
Harper	McCollum	Sarbanes
Hastings (FL)	McCotter	Scalise
Heinrich	McDermott	Schakowsky
Heller	McGovern	Schauer
Hensarling	McHenry	Schiff
Herger	McIntyre	Schmidt
Herseth Sandlin	McMahon	Schock
Higgins	McMorris	Schrader
Himes	Rodgers	Schwartz
Hinche	McNerney	Scott (GA)
Hinojosa	Meek (FL)	Scott (VA)
Hirono	Melancon	Sensenbrenner
Hodes	Mica	Serrano
Holt	Michaud	Sessions
Honda	Miller (FL)	Sestak
Hoyer	Miller (MI)	Shadegg
Hunter	Miller (NC)	Shea-Porter
Inglis	Miller, Gary	Shimkus
Inslee	Minnick	Shuler
Israel	Mitchell	Shuster
Issa	Mollohan	Simpson
Jackson (IL)	Moore (KS)	Sires
Jackson Lee	Moore (WI)	Skelton
(TX)	Moran (KS)	Smith (NE)
Jenkins	Moran (VA)	Smith (NJ)
Johnson (GA)	Murphy (CT)	Smith (TX)
Johnson, E. B.	Murphy, Patrick	Snyder
Johnson, Sam	Murphy, Tim	Souder
Jones	Myrick	Space
Kagen	Napolitano	Speier
Kanjorski	Neal (MA)	Spratt
Kaptur	Neugebauer	Stark
Kennedy	Nunes	Stearns
Kildee	Nye	Stupak
Kilpatrick (MI)	Obey	Sullivan
Kilroy	Olson	Sutton
Kind	Oliver	Tanner
King (IA)	Ortiz	Taylor
King (NY)	Owens	Teague
Kingston	Pallone	Terry
Kirk	Pastor (AZ)	Thompson (CA)
Kirkpatrick (AZ)	Paul	Thompson (PA)
Kissell	Paulsen	Thornberry
Klein (FL)	Payne	Tiberi
Kline (MN)	Pelosi	Tierney
Kosmas	Pence	Titus
Kratovil	Perlmutter	Tonko
Kucinich	Perriello	Towns
Lamborn	Peters	Tsongas
Lance	Peterson	Turner
Langevin	Petri	Upton
Larsen (WA)	Pingree (ME)	Van Hollen
Larson (CT)	Platts	Visclosky
Latham	Poe (TX)	Walden
LaTourette	Polis (CO)	Walz
Latta	Pomeroy	Wamp
Lee (CA)	Posey	Wasserman
Levin	Price (GA)	Schultz
Lewis (CA)	Price (NC)	Waters
Lewis (GA)	Putnam	Watson
Lipinski	Rahall	Watt
LoBlando	Rehberg	Waxman
Loeb	Reichert	Weiner
Loftgren, Zoe	Reyes	Westmoreland
Lowey	Richardson	Whitfield
Lucas	Rodriguez	Wilson (OH)
Luetkemeyer	Roe (TN)	Wilson (SC)
Luján	Rogers (AL)	Wittman
Lummis	Rogers (KY)	Wolf
Lungren, Daniel	Rogers (MI)	Woolsey
E.	Rohrabacher	Wu
Lynch	Rooney	Yarmuth
Mack	Ross	Young (AK)
Maffei	Rothman (NJ)	Young (FL)
Maloney	Roybal-Allard	
Manzullo	Royce	

NAYS—1

Johnson (IL)

ANSWERED "PRESENT"—3

Marshall	Oberstar	Welch
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NOT VOTING—53

Ackerman	Chaffetz	Doyle
Arcuri	Cleaver	Edwards (TX)
Blumenauer	Dahlkemper	Eshoo
Boren	Davis (AL)	Fallin
Boyd	Deal (GA)	Farr
Buyer	DeFazio	Garamendi
Camp	Diaz-Balart, L.	Grijalva
Campbell	Doggett	Gutierrez

Hastings (WA)	McKeon	Ros-Lehtinen
Hill	Meeks (NY)	Roskam
Hoekstra	Miller, George	Sánchez, Loretta
Holden	Murphy (NY)	Sherman
Jordan (OH)	Nadler (NY)	Slaughter
Lee (NY)	Pascarell	Smith (WA)
Linder	Pitts	Thompson (MS)
Massa	Quigley	Tiahrt
McCarthy (CA)	Radanovich	Velázquez
McCarthy (NY)	Rangel	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. KRATOVIL) (during the vote). There are 2 minutes remaining in the vote.

□ 1539

Mr. WELCH changed his vote from "yea" to "present."

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PRIVILEGED REPORT ON RESOLUTION IMPEACHING JUDGE G. THOMAS PORTEOUS, JR.

Mr. SCHIFF, from the Committee on the Judiciary, submitted a privileged report (Rept. No. 111-427) on the resolution (H. Res. 1031) impeaching G. Thomas Porteous, Jr., judge of the United States District Court for the Eastern District of Louisiana, for high crimes and misdemeanors, which was referred to the House Calendar and ordered to be printed.

LEGISLATIVE PROGRAM

(Mr. CANTOR asked and was given permission to address the House for 1 minute.)

Mr. CANTOR. Mr. Speaker, I yield to the gentleman from Maryland, the majority leader, for the purpose of announcing next week's schedule.

Mr. HOYER. I thank the Republican whip for yielding.

Mr. Speaker, on Monday the House is not in session. On Tuesday, the House will meet at 12:30 p.m. for morning-hour debate and 2 p.m. for legislative business, with votes postponed until 6:30 p.m. On Wednesday and Thursday, the House will meet at 10 a.m. for legislative business. And on Friday, if needed, the House will meet at 9 a.m. for legislative business. We will consider several bills under suspension of the rules. A complete list of suspension bills will be announced by close of business tomorrow, as is the custom.

In addition, Mr. Speaker, we will consider H. Con. Res. 248, the Afghanistan war powers resolution introduced by Mr. KUCINICH, and we will also consider H. Res. 1031, impeaching G. Thomas Porteous, Jr., judge of the United States District Court for the Eastern District of Louisiana, for high crimes and misdemeanors. It is also possible there will be further action on the jobs agenda, which depends on what the Senate or the House has coming out of committee or out of the Senate.

Mr. CANTOR. Mr. Speaker, I thank the gentleman, and I want to ask the gentleman if he can give us some better indication of what he means by the jobs agenda.

Mr. HOYER. We believe that the number one priority for us is to continue to grow the economy so that we will create jobs in this economy. As the gentleman knows, my perception is we have gone from losing an average of 726,000 jobs in the last 3 months of the Bush administration, to the last 3 months of losing, on average, 35,000 jobs. That is 95 percent in the right direction, but we need to continue to create jobs.

As you know in the bill that was just passed, which was passed in a bipartisan fashion in the Senate and to some degree here, we are trying to encourage the hiring of those who are unemployed through giving tax credits, and also tried to spur investment by giving businesses the right to write off items. We also ensure the continuation of the Highway Act; and in addition to that, as you know, we provided for a less expensive way for communities to expand public works and hire people to do that, public buildings and construction of public facilities.

So when I say the agenda, that was obviously a part of the agenda. We still are very concerned about lending, capital being available to small, particularly, but medium-sized businesses as well. The Senate is considering a jobs bill now, as you know, with a number of component parts. So when I talk about the jobs agenda, I am talking about ways and means and efforts to grow the economy and create jobs.

Mr. CANTOR. I thank the gentleman.

The gentleman refers to some areas that I hope he and the majority would work with the minority on in trying to do exactly as he stated, which is to create an environment for small businesses to create jobs. As the gentleman just saw in the vote taking place on the floor today, there were 35 members of his caucus who voted against the so-called jobs bill that was on the floor today, perhaps indicating that the gentleman may want to work with us as we have been continuing to propose tax cuts for small businesses, not necessarily connected with what kind of hires that the businesses should do, and not necessarily connected with some type of targeted credit that may or may not fit with the business model of any particular small business, but in general, I think the gentleman would agree, making it easier for small businesses to keep the lights on right now so they can return to a mode in which they could increase payroll.

□ 1545

Mr. Speaker, I would ask the gentleman if he could speak to his mention of the resolution dealing with the Afghanistan war powers. As the gentleman knows, the Republicans view a withdrawal from Afghanistan within 30 days as incredibly irresponsible.

Mr. HOYER. Would the gentleman yield?

Mr. CANTOR. I yield.

Mr. HOYER. Just for accuracy, it's my understanding that the resolution that the gentleman from Ohio has introduced is by December 31, I believe, not 30 days. And I yield back.

Mr. CANTOR. I thank the gentleman for that.

Still I would say that the Republican view is we have consistently supported this President in his efforts in Afghanistan as he has listened to the commanders on the ground to determine the focus and future of our presence there in terms of protecting our troops and the U.S. interests there. So I imagine my friend from Maryland, knowing his position on these things, agrees with that.

I would like to know, Mr. Speaker, whether there will be an all-out push to make this some type of partisan issue. Perhaps the gentleman could shed some light on his position on this bill that is being brought forward next week. And I yield.

Mr. HOYER. I thank the gentleman for yielding.

As the gentleman knows, I've expressed support for the policy being pursued by President Obama, and I certainly intend to continue to support that policy. The resolution is not consistent with that. So I think the gentleman is not going to be surprised at my expectation that this will be a bipartisan vote—perhaps on both sides of the proposition, yea and nay, but I certainly think it's going to be a bipartisan vote.

I believe the President's policy that he has articulated is a thoughtful, measured policy. And very frankly, I think he has done what perhaps we should have been doing for some period of time, focused on where terrorism was organized against the United States to ensure that we eliminate al Qaeda and prevent the Taliban from resurgence and reestablishing a base wherefrom terrorists might attack us. I think that is an appropriate policy that the President is pursuing, and I would hope that the House would support that policy on both sides of the aisle.

Mr. CANTOR. Mr. Speaker, I thank the gentleman. I look forward to joining him in opposition to the resolution he is bringing to the floor.

Mr. Speaker, if I could ask the gentleman to give us, in the House, an update on when he expects the budget resolution to come to the floor. And I yield.

Mr. HOYER. We hope that the budget resolution will come to the floor—and we're working on that—by the end of the month before we leave for the Easter break.

As you can well imagine, given the fiscal situation that confronts us, that's a very difficult document to put together. But Mr. SPRATT is working very hard at that with the committee. I know Mr. RYAN, I'm sure, the ranking

member, is also working hard on that. I am hopeful that we will be in a position to bring that to the floor before the Easter break.

Mr. CANTOR. I thank the gentleman for that.

Mr. Speaker, I would like to ask the gentleman, in view of the short period of time until Easter break, is it his expectation that the House will take up health care legislation within that time period? And I yield.

Mr. HOYER. It is the President's hope and our hope that that will be the case. As you know, the President has expressed that objective, and we have said that would be our objective as well.

As you know, we have been working on this issue for well over a year. We passed a bill many months ago; the Senate passed a bill over 2 months ago. Many of us have been working on that bill. As you know, we had a very substantial—historic, really, in many respects—discussion with the President at Blair House last week. I understand the President has incorporated a number of ideas that he felt were good ideas that Republicans put on the table at that meeting.

My expectation is we will be moving on this bill in the near future. And what I mean by that is, again, hopefully, that we would be able to consider this prior to the April break, the Easter break.

Mr. CANTOR. I thank the gentleman.

Mr. Speaker, the President has asked Congress—in fact yesterday—that the majority here consider using the reconciliation process to pass this health care bill. I would like to ask the gentleman, Mr. Speaker, is it his intention and the Speaker's intention to adhere to the President's request and actually use the reconciliation process? And I yield.

Mr. HOYER. Well, I thank the gentleman for yielding.

As the gentleman knows, we provided for reconciliation in the budget resolution that was adopted last year, so that is available to us. That has been used 22 times, as the gentleman knows, since 1980; 16 of those times it was used when your party was in the majority. You utilized that to do what the American people think is usually the case: we pass things by majority vote, up or down, and the majority rules. Now, here, of course, when the majority rules, it really does represent a majority of the country. In the Senate, of course, even when a majority votes, it doesn't necessarily represent a majority of the people of the country because obviously every State, no matter how large or small, is represented.

But having said that, we believe that the Republicans, when you used it for a tax bill or welfare or other very important pieces of legislation—the tax bill obviously having trillions of dollars of economic impact on the economy—you felt that that process of passing it by a majority vote in the United States Senate made sense. We share your view.

Mr. CANTOR. Mr. Speaker, I thank the gentleman for that and would say that nothing compares to the use of or suggested use of reconciliation then as to now with this bill. I would say that there was, in the main, bipartisan support and, frankly, support on the part of the people of this country for what was being done through reconciliation in those instances.

I would like to turn the gentleman's attention, Mr. Speaker, to a question that I have regarding statements that were made as late as September of 2007 when then-Candidate Obama said, "This is an area where we're going to have to have a 60 percent majority in the Senate and in the House in order to actually get a bill to my desk. We're going to have to have a majority to get a bill to my desk that is not just a 50-plus-1 majority" said then-Senator Obama. "You've got to break out of what I call the sort of 50-plus-1 pattern of Presidential politics. Maybe you eke out a victory with 50 plus 1, but you can't govern. You know, you get Air Force One and a lot of nice perks as President, but you can't, you can't deliver on health. We're not going to pass universal health care with a 50-plus-1 strategy." That later quote, again, was the next month in October.

So I'm having difficulty understanding, Mr. Speaker, why now the President and the majority seem to have done a 180 when it comes to using reconciliation with a \$1 trillion bill that could very well alter one-sixth of our economy. And I yield.

Mr. HOYER. I thank the gentleman for yielding.

Let me repeat, his 180 was incorporated as a way to go forward last year when we adopted the budget almost 1 year ago. So this is nothing new for the gentleman.

I told the gentleman his party has used this procedure 16 times out of 22 times that it has been used, which means your party has used it two-thirds of the time—over two-thirds of the time—that it's been employed. As a matter of fact, JUDD GREGG, a Member of your party, a leader of the Budget Committee on your side, was chairman of the Budget Committee, now ranking member, when an objection was raised on that—we're using quotes—when an objection was raised to that said, as he turned to the Democratic side, "What's wrong with a majority vote? I thought a majority vote was what should prevail." That was JUDD GREGG of your party. I think it's ironic when we're saying, okay, you think a majority vote is good, we'll take a majority vote.

Now, the President's quote is a demonstration that we all say things that, unfortunately, then don't become reality. Well, I will tell you the reason they don't become reality is because, as JIM DEMINT said, I think many of your party hope this is President Obama's Waterloo. That's a direct quote—you used quotes—from Mr. DEMINT.

Your belief is, in my view—I do not attribute it to you—but my belief is, as Mr. Gingrich pointed out over and over again, if we fail, you win. The problem is if we fail, we believe the American people lose, and we think that is not fair.

I want to use one more quote and then I will cease and yield back to you. October of 2008, Presidential campaign debate, national television, JOHN MCCAIN, your candidate, said, “I want to see a plan that gives all Americans, all families availability of affordable health care.” That was a quote that Senator MCCAIN, your candidate for President, made just a few months ago. It was almost exactly what Mr. Obama said. So, from my perception, there was a consensus with respect to where we needed to go.

As a matter of fact, I think almost every Member on this floor believes that we need to reform the health care system. We’ve had a very vigorous debate, a very open debate, a very transparent debate over 1 year now on how this ought to be done. We have disagreement, and that is the nature of democracy. But if a majority of the representatives in this body and the majority of the representatives in the other body believe a policy ought to be adopted, then, frankly, that is the way our system should work.

There is nothing in the Constitution, as the gentleman well knows, about having—except for some rare instances—a supermajority, and certainly none on policy. There are on confirmations and overriding a President’s veto, but other than that, the perception is the majority vote rules.

So it’s a procedure that you used, and it’s a procedure that we anticipated last March. We hoped that wouldn’t be the case. Very frankly, we would hope that we could work in a bipartisan way to effect this end that at this point hasn’t been possible, and Senator MCCONNELL has made it pretty clear that he has no intention of participating in that kind of effort.

I yield back to my friend.

Mr. CANTOR. I thank the gentleman.

I don’t know if the gentleman is saying, Mr. Speaker, that maybe the President was wrong when he spoke about not using this process; but I do know, Mr. Speaker, that 70-something percent of the American people don’t like this health care bill.

I think the gentleman is correct, Mr. Speaker, that all of us care about doing something positive for health care. Republicans care about health care. We went to that forum with our ideas. The public began to see for 7 hours that there were very different approaches to how we are going to deal with health care. We said if we can stop the overhaul, stop the \$1 trillion attempt to lead us to a path from government getting in the way of decision-making between patients and their doctors, if we can set that aside, there could be some things that we could work on much more modest and focused in terms of

cost control. Once we reduce cost, people can have access. More people can have insurance. We could also do some things together to address the problems of preexisting condition exceptions in coverage. All of us want to do something about that.

So I would say to the gentleman, I am disappointed—as I know he knows that we are—that his side has decided to defy the protests that came from the President and others on his side of the aisle about the use of reconciliation for health care. But I would ask the gentleman, will the House move next on health care or will it be the Senate? And I yield.

Mr. HOYER. Well, I thank the gentleman for yielding.

We are still discussing exactly what procedure will be employed to effect a majority vote in both Houses and send something to the President in the same form, so I can’t specifically answer that question at this particular time.

But let me say to the gentleman, he mentioned the forum we went to, and Republicans did put ideas on the table. We thought they were constructive. As a matter of fact, as you may recall, I responded to Senator COBURN, who is also a medical doctor, when we mentioned about fraud, waste and abuse. As you know, there is substantial investment in both the House bill and the Senate bill to eliminating fraud, waste and abuse. Senator COBURN observed he thought there was a lot of money that could be saved there. We think that is the case as well, so we have provided to go after that.

We also, I think, agree that reform ought to be based on a private, market-based system. As the gentleman knows, the exchanges that are set up both in the House bill and the Senate bill, they differ; but they are both based on private sector competition by private insurance companies.

□ 1600

We talked about wellness programs. Dr. COBURN also talked about that as did others. I think Dr. BOUSTANY, Congressman BOUSTANY, also talked about that.

We have a very substantial investment in wellness and, as Dr. COBURN pointed out, in practices that give cooperative care and are not reimbursed piecemeal but are reimbursed by the quality of care that is given, by the outcomes that are given as opposed to simply being process-oriented.

We also agree, I think, Mr. CANTOR, on mechanisms to have competition across State lines. We believe the exchanges do that, but we also believe there is room for discussion in looking at how we might do that in other ways as well. So we think that that’s an idea, and the pooling with respect to small businesses so they can create large groups so that they can have better competitive advantages. We believe that, when we put small businesses into the exchange, that’s exactly what we give them.

For instance, in a large group, as all of us know and as we have in the Federal Employee Health Benefit Plan, we don’t have preexisting conditions, because we are a large group. Most large groups don’t. In the legislation you offered as a substitute to ours, of course, you did not cover preexisting conditions. Your legislation provided for about 3 million people having greater access to the system; ours for about 30 million. So, while we agree that we ought to have people have access, frankly, we believe that what we have proposed provides greater access.

Insurance pooling to acquire health insurance at lower prices, it seems to me we agreed on that as an objective. You disagree with the way we have done it in terms of our exchanges, which is, of course, what the Federal Employee Health Benefit Plan is that you and I participate in. It’s a large exchange with many different insurers. In our area, we have about 25 or 26 different options that we can choose from. For the most part, they’re private sector. As a matter of fact, for all parts, they’re private sector to choose from.

So, yes, we have differences, but as I’ve told you before, I’m still prepared to discuss with you and to work with you on suggestions you have that get us to an objective that we think is appropriate.

Let me just lastly, in closing, say a recent polling shows a majority wants to keep working. You indicate, as you do on a regular basis, that there are polls that show people are against this bill. My view is what they are really against is this confrontation and contention regarding these bills, which is, of course, why the President said he thought having 60 percent would give a greater level of confidence. I agree with that. I would hope that we would have created that kind of consensus.

I want to read to you: 63 percent in a Washington poll said that we ought to pass comprehensive health reform; 57 percent in a Kaiser Family Foundation poll. February 22, 2010, Kaiser poll also finds overwhelming support for key elements of the reforms in our bill; 76 percent support reforming the way health insurance works in our bill; 71 percent support creating a health insurance exchange, which is in our bill; and 70 percent support expanding high-risk insurance pools.

So, when you go to the individual elements of our bill, we find very significant support for those individual elements, I tell my friend. I continue to look forward to working with my friend to reach common ground.

Mr. CANTOR. I thank the gentleman.

Mr. Speaker, from the summation of his remarks, I gather that there has been no willingness to listen to the American people on the part of the majority here in the House.

The gentleman does know that all polls indicate that the American people want us to set the bill aside, to stop this construct that Washington is going to tell everyone how to design

health care, and to really start over. In a CNN poll last week, 73 percent of the public said, Shelve the bill. Start over.

Mr. Speaker, I appreciate the gentleman's time, and I look forward to working together with him in whatever way we can, frankly, focusing on the issue of getting America back to work.

I yield back the balance of my time.

ADJOURNMENT FROM FRIDAY, MARCH 5, 2010, TO TUESDAY, MARCH 9, 2010

Mr. HOYER. Mr. Speaker, I ask unanimous consent that when the House adjourns on Friday, March 5, it adjourn to meet at 12:30 p.m. on Tuesday next for morning-hour debate.

The SPEAKER pro tempore (Mr. PETERS). Is there objection to the request of the gentleman from Maryland?

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON THE BUDGET

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on the Budget:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 3, 2010.

Hon. Speaker PELOSI,
United States Capitol,
Washington, DC.

DEAR SPEAKER PELOSI, Given the increased commitments I have made to my state, I resign, effective immediately, from the Committee on the Budget. It has truly been a pleasure to work with Chairman Spratt and the many dedicated members that care passionately about getting our nation's fiscal house in order. Fighting for fiscal responsibility as a member of the Blue Dog Coalition for the past five years and pushing for a responsible budget has been an immense honor. I look forward to continuing to work hard for the people of Louisiana and our great nation.

Thank you for your attention to this matter.

Sincerely,

CHARLIE MELANCON,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

JOBS FOR URBAN SUSTAINABILITY ACT

(Mr. COHEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COHEN. Mr. Speaker, today, Congress passed a jobs bill. It was a small jobs bill, but it was a start.

This country needs to work on jobs. This week, I introduced an Urban Sustainability Act to direct \$10 billion of TARP money into cities with populations of 600,000 or more and with unemployment rates of 10 percent or more to put in public works projects and job training.

It is important that we realize that urban America is suffering and suf-

fering in a disproportionate way, and it is important that they get paid particular emphasis. I encourage other cosponsors—we have 9 or 10 already—to join with me, and I encourage the administration and the leadership to look at urban cities and the need for job training programs and public works programs.

Last week, Senator BERNIE SANDERS and I introduced a bill on solar for 10 billion solar photovoltaic panels on roofs and 10 billion gallons of solar water. We need to invest in solar to protect our country, our mother Earth and our resources so that we don't have as many soldiers protecting lines of transportation that are there to bring in oil from the Middle East.

I urge the strong consideration and adoption of that bill. Solar is the future, and it can protect our Nation and our mother Earth.

UNEMPLOYMENT

(Mr. GINGREY of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GINGREY of Georgia. Mr. Speaker, in January, Georgia's unemployment rate hit a record-high level of 10.4 percent. There could be no clearer proof that the Democrat majority should have long ago shifted this body's focus to the economy and to jobs.

Back in Georgia, Democratic Labor Commissioner Michael Thurmond said yesterday, "I'm concerned that thousands of pending government layoffs will further cripple Georgia's struggling private job market. Our elected leadership must come together to develop a bipartisan plan that will balance the State budget and jump-start private sector hiring."

Mr. Speaker, listen to our State leaders. Unlike the current health care bill, which the Democrats are going to attempt to ram down the American people's throats without any bipartisan input, please do not bring any more legislation to the floor that will raise taxes and kill jobs. Listen to Commissioner Thurmond and work with us. Let's get our economy back on track.

A QUESTION OF JOBS

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE of Texas. Mr. Speaker, this is a question of jobs, and I don't want tomorrow's numbers, if they happen to be showing that we have not reached the goals that we want to reach, to in any way distract from the work the Democrats are doing and that we should be doing together.

I have concerns about what we just passed as it relates to jobs, although I support the infrastructure part of the bill. I think that, if we focus on jobs, we've got to save NASA, and we've got

to ensure that we continue human spaceflight.

Then we've got to go into neighborhoods and areas where there are the chronically unemployed. We have to put up recruitment offices so that we can provide real opportunities for jobs to build America's infrastructure. We have to go to the public housing projects and make sure that those who live there can work on the rehabilitation of those projects.

Those who are chronically unemployed need to have a job in hand. They need to be able to be trained and then work. Those who are unemployed need to be able to be trained for new jobs and not lose their unemployment. We've got to put a job in the hand of the chronically unemployed. That's what I will continue to fight for. That's the legislation that I will support.

A GOVERNMENT TAKEOVER OF HEALTH CARE

(Mr. PENCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PENCE. Mr. Speaker, from the town halls in August of last year to the voting booths of Massachusetts, the American people have spoken. The American people don't want a government takeover of health care. Despite the President's latest polished pitch, ObamaCare 2.0 is still a government takeover of one-sixth of the American economy, and the American people know it.

The latest version of ObamaCare is a government takeover because it will mandate private citizens' purchases of health care whether they need it or want it or not. It will cause millions of employers to cancel the health insurance they currently offer employees, and it will force tens of millions of Americans into government-run exchanges. It will create a health care czar to impose price controls on private health insurance, which will lead to shortages and which will force even more people into government-run insurance.

Mr. President, government mandates, government-run insurance and more government control is a government takeover of health care.

HOUSTON CITIZENS CHAMBER OF COMMERCE NASA RESOLUTION

(Mr. OLSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLSON. Mr. Speaker, I rise today to share a letter that I received from my friends at the Houston Citizens Chamber of Commerce. The Houston Citizens Chamber of Commerce is the oldest and largest African American Chamber of Commerce in Houston. They are strongly in support of efforts to preserve NASA's Constellation human spaceflight program.

In their letter, they stated, "The future of our Nation's long-term prosperity and national security is dependent on innovation and more young Americans being educated in the areas of science, technology, engineering, and mathematics."

They also stated what a source of pride and inspiration human spaceflight has been for African American children who see African American astronauts and know that the sky is not the limit.

Mr. Speaker, the Houston Citizens Chamber of Commerce understands the national value of human spaceflight. I urge my colleagues to support the Constellation program in our upcoming budget.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

GLOBAL WARMING IS A THEORY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE of Texas. Mr. Speaker, at first, Al Gore claimed to invent the Internet. Now it looks like he really did invent something—global warming.

The Nation had one of the coldest winters in years, including record snowfalls in the South; but the Warmers like Al Gore ignore the obvious, and still claim we are all going to perish, saying that Man is the threat to the planet. The groundhog is a better predictor of the weather than Al Gore.

Al Gore's long-winded article in The New York Times over the weekend was long on claims and short on facts. He didn't cite hard sources for his information. Like the rest of the global warming scientists, they are using fraudulent information. We are supposed to take their word for it now that basic data supporting their claims has, all of a sudden, disappeared.

□ 1615

That data has been found to be fraudulent. It is no wonder that data is disappearing.

There seems to be no conclusive scientific data that proves the global warming theory. It is a theory. That is what a theory is, something that isn't proven. The Federal Government is trying to force Americans to pay a cap-and-trade national energy tax, and it is all based on this highly disputed theory of global warming.

The United Nations International Panel on Climate Change issued a report in 2007 that made all kinds of claims about global warming. The report is based on some faulty science.

Climategate started last year when a whistleblower released emails between all these global warming scientists.

The emails and other information released showed these guys had been cooking the books. It is still a huge scandal unfolding on the front pages of newspapers all over the world, especially in England.

The Climatic Research Unit at East Anglia University in England is the center of the Climategate scandal. That is where the emails were released by an anonymous whistleblower. Some emails reveal global warming scientists plotting to avoid disclosing information under the Freedom of Information Act in England, and, of course, that is against the law in England. Other email even showed this so-called scientist talking about how to manipulate the data, how to fix the outcome of their scientific experiments.

It sounds like fraud to me. Then they spread this false information around to their buddies without a proper peer review. That is how you perpetrate a hoax.

The data at the basis of all of these findings are based on the same fraudulent data from one of these small groups of scientists. If global warming is the truth, why are these scientists caught in lie after lie? If it is the truth, why would they be lying to the American people in the first place?

The British scientific community spoke out this week about and against their climate science peers. The British Institute of Physics this week said, "Unless the disclosed emails are proven to be forgeries, worrying implications arise for the integrity of the scientific research and for the credibility of the scientific method."

There is no credible proof man causes weather changes. It is a way to bilk millions of dollars out of taxpayers with a so-called carbon tax. It seems to be all about money.

Of course, Mr. Gore is heavily invested in green technology. Last year, he was proclaimed by the media to be the first green technology billionaire. That is a billionaire with a B. Al Gore has made a fortune off of global warming, and so have a lot of other people. He should have to back up his claims with hard data, not the data that has been proved to be false. He would have to prove all of the wild claims, and other scientists should have to prove these claims as well, about man being the culprit of global warming.

The fact is that global warming is not a fact. The jury is still out.

And that's just the way it is.

THE HIRING INCENTIVES TO RESTORE EMPLOYMENT ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Ms. SCHWARTZ) is recognized for 5 minutes.

Ms. SCHWARTZ. Mr. Speaker, earlier today, unfortunately, I missed the vote on legislation called the Hiring Incentives to Restore Employment Act, the HIRE Act, because I, along with several of my New Democratic Coalition

colleagues, were meeting with President Obama in the White House. I apologize for not getting back to the floor in time. I would have liked to.

But I did want to speak on the legislation because, in fact, this is an important jobs bill. It is one, I hope, of a series of jobs bills that we will pass in the House and in the Senate and get to the President's desk to move this economy forward, to enhance our economic competitiveness and create job growth, help stimulate job growth in the private sector.

This bill did pass the House of Representatives by 217-201, and I believe it will be an important step in giving America the tools to jump-start job growth. It provides tax cuts to spur investments by small businesses and it allows tens of millions of new dollars for infrastructure investment.

Specifically, this bill will grow small business investments by extending provisions included in the American Recovery and Reinvestment Act that Congress passed in 2009 and which have been very successful in stimulating new jobs. These provisions double the amount that small businesses can immediately expense for capital investments and purchases of new equipment made in 2010 from \$125,000 to \$250,000.

The legislation also extends surface transportation programs to allow for billions more to be invested in infrastructure necessary across this country. It makes it easier for States to borrow for these infrastructure projects, such as for school construction and energy projects, and it bolsters the Highway Trust Fund to support existing highway and transit projects.

As vice chair of the House Budget Committee, I am particularly pleased that the HIRE Act is fully paid for and it does not add to the annual deficit. It is paid for by cracking down on overseas tax havens. The legislation provides the U.S. Treasury with new tools to find and prosecute U.S. individuals who hide assets overseas from the IRS.

This jobs bill provides new investments needed to get our Nation back from this economic crisis we have experienced and to stimulate job growth in the private sector by investing in small businesses and in infrastructure, and it does so in a fiscally responsible manner.

I am proud of the House's work on this legislation. I urge my Senate colleagues to pass this legislation quickly and send it to the President, and I look forward to additional legislation that we will see and help work on to produce those new jobs to rebuild this economy and to make sure that America is well positioned and well prepared for 21st century economic competitiveness in a global marketplace.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

HONORING JAMES "FRIDAY" RICHARDS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. GINGREY) is recognized for 5 minutes.

Mr. GINGREY of Georgia. Mr. Speaker, I rise today to honor an outstanding athletic coach from my hometown of Marietta, Georgia, on the occasion of his retirement.

James "Friday" Richards had dedicated more than 30 years of his life to Marietta High School, retiring on January 22 of this year as the head coach of the Marietta Blue Devil football team. Coach Friday is also a teacher at the high school and will retire from full-time teaching at the end of this current school year.

Coach Friday graduated from Marietta High School in 1972 and went on to play football at the University of Florida. He then spent two seasons in the NFL playing for the New York Jets and the Washington Redskins before coming back to where it all started.

Working at Marietta High School is the only job outside of professional football that Coach Friday has ever had. Up until his retirement, he was the longest serving football coach in Cobb County, Georgia. During his 15-year tenure as head coach, Coach Friday compiled a record of 107 victories and 58 defeats. He took the Blue Devils to the playoffs 10 times and won four region titles.

Before he became head coach, Friday was a Marietta assistant, first for Coach Ray Broadway and then for Coach Dexter Wood. Additionally, under Coach Friday, more than 100 players from Marietta have earned college football scholarships.

Coach Friday told the Marietta Daily Journal, when announcing his retirement, that the thing that he will miss most about coaching are the kids. Well, Coach Friday, four of those kids were my kids: Billy, now 38 years old; Gannon, 37; Phyllis, 35; and Laura Neill, 33. Where in the world did the time go? Coach Friday, I can tell you that those four children that you mentored and coached, three of them cheerleaders, one of them a wide receiver for the Blue Devils, they miss you, too. It is your attitude of putting students and players first that made you, Coach Friday, such an outstanding teacher and football coach.

Mr. Speaker, he will indeed be a tough act to follow.

YUCCA MOUNTAIN IS NO LONGER AN OPTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nevada (Ms. BERKLEY) is recognized for 5 minutes.

Ms. BERKLEY. Mr. Speaker, during the campaign, President Obama

pledged to Nevadans that he would kill the Yucca Mountain nuclear repository project. He has kept his word.

Yesterday, the Energy Department moved to pull the license for the dump. The President's blue ribbon panel will meet this month to find an alternative to Yucca Mountain. But I think it is important for me to reexplain why the opposition to Yucca Mountain is so strong, not only throughout the State of Nevada, but throughout the United States.

There is a very long history here. As we refer to it in Nevada, the so-called "Screw Nevada" bill that was passed over two decades ago decided there were three sites that were supposed to be considered for the disposition of nuclear waste. All of a sudden, in the "Screw Nevada" bill there was one State, and we had the honor of being selected as the State that got screwed by the United States Congress. So this was always a political decision. It never was based on sound science.

Let me tell you what the proposal of this bill was: 77,000 tons of toxic radioactive nuclear waste being shipped across 43 States to be buried in a hole in the Nevada desert where we have groundwater issues, seismic activity and volcanic activity, and 90 miles from a major population center in the western United States.

This was never based on sound science, and it never was a viable option. However, for the last 20-some odd years, it has been the option that this Congress and the former administration wanted to foist on the American people.

Now, let me explain what some of the things are that are wrong with this. First of all, there is no safe way to transport 77,000 tons of toxic radioactive nuclear waste across 43 States. It would take 300,000 trips either on our highways or on our rails across this country where we would be going past schools and hospitals and residential areas in order to get to Nevada. Now, just statistically, there would have been X number of accidents when you have 300,000 shipments.

Also, after 9/11 we became painfully aware of the potential for a terrorist attack. What would prevent a terrorist from attacking a nuclear train that was bringing this nuclear waste to the State of Nevada? That is number one.

Number two, there is no canister that exists that could safely store the waste. This was the initial proposal. Yucca Mountain was supposed to be a natural depository that would collapse on itself once it was full. Well, what do you know? They found out that it wasn't bone dry. There is moisture in Yucca Mountain. So then they said, well, let's create a canister to store the waste. Of course, no canister exists. But they did say there was the possibility that the cannister would leach into the groundwater.

So then they said, well, what we will do, since the mountain is not a natural repository and the canisters don't

exist, and if they did exist they couldn't protect the groundwater from the leaching of nuclear waste into the groundwater, so we will have titanium shields over the canisters that don't exist in Yucca Mountain that isn't a natural repository.

Then they came up with the brilliant plan in the last administration that there would be an army of robots, because it would be too dangerous for human beings to go down to Yucca Mountain, so an army of robots that would have to be invented would go down to Yucca Mountain to seal the canisters that don't exist with the titanium shields in Yucca Mountain that isn't a natural repository. This is what we have been dealing with for over two decades.

Also, there are EPA standards. They said 10,000 years. Well, the U.S. Circuit Court of Appeals overruled that because, do you know what? The shelf life of nuclear waste is 300,000 years. So that made no sense either.

The nuclear industry and its allies continue to talk about putting nuclear waste at Yucca Mountain, Nevada. That plan is so dead, because the State of Nevada supports the President of the United States, who has finally pulled the plug on this ridiculous program.

There is no magic money tree. This is going to cost billions and billions of dollars. Where are we getting that money? Nevada doesn't have a money tree.

Do you know what else Nevada doesn't have, Mr. Speaker? We don't have any water. We are in the middle of a desert, and it takes millions of gallons of water in order to cool the nuclear waste. So I don't know where they are expecting to get the water, but they ought to take a look at the map, because there is no water in the State of Nevada. We are in the middle of a desert.

□ 1630

So I want to thank the President of the United States for honoring his promises. This blue ribbon panel will finally meet and start the process of finding an alternative to Yucca Mountain. If this country is going to rely on nuclear energy in the future, we'd better finally figure out a way of what to do with the nuclear waste. I support the President and the blue ribbon panel. I wish them well.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

(Mr. MORAN of Kansas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

HEALTH CARE SUMMIT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. MCCOTTER) is recognized for 5 minutes.

Mr. McCOTTER. We are now a week removed from the President's celebrated health care summit, and we're a day removed from the President's press conference regarding moving ahead on the health care bill despite the wishes of the American people. Prior to the summit, which I referred to as the Shamwow Summit, I was one of the voices urging the Republicans not attend unless the President decided to start from scratch and find a principled basis for compromise amongst both sides. That principled basis was not found, and the principled divide remains.

The House and Senate Republicans went into the summit and they engaged admirably and honestly in the cause of putting forward Republican solutions to health care. Yet, what we found was that afterwards the President has decided to arbitrarily negotiate with himself what he purports to be a bipartisan compromise bill, one which magically has been obtained without the consent of the minority party.

As succinctly summarized by Mr. Charles Krauthammer yesterday, the summit was a Shamwow Summit, and the good faith of those Republicans in the room is now currently being used in a political charade upon the people to prepare them for the proposition that a bipartisan health care bill is before them. I quote Mr. Krauthammer: "But they," the administration, "wanted to present it to the American citizenry as having tried to reach out. That's why you had the charade of the summit last week, 7 hours of discussion, when it was already pre-cooked that that wouldn't change anything. But that's part of the deal. He," the President, "wants to appear to be offering to incorporate Republican proposals. And now the pivot, which we had today."

It is important as the health care debate continues that we not lose sight of the principled divide between the two sides. On the one hand, the Democratic majority wants to have government-run, bureaucrat-dictated health care. On the other, the Republican Party wants to have free-market, patient-centered wellness. No amount of taking Republican proposals and sprinkling them onto the faulty premise of a government-run bill will make it bipartisan or will make the Republican proposals effectual, as, contrarily, we will be taking the Democrat proposals and putting them on to a free-market, patient-centered wellness bill. It is a principled divide, one which Abraham Lincoln reminds us: important principles must remain flexible. In this instance, the bridge between the two parties has not been established and the divide remains.

Also within this debate I think it is important to point out a second important aspect. This is not merely about the money. It is about the liberty. We can all talk about costs. We can all talk about coverage. In my view, the

current health bill would have a catastrophic impact upon the fiscal condition of the United States, which is already tenuous at best. It is about the American people wanting to make sure they retain these decisions in their hands and that the forces that we see around us throughout the communication and innovation revolutions that empower them to make their own decisions every day at a greater extent than at any time in human history remain in their own hands rather than those of a government bureaucrat.

This is not mere supposition on my part. I cite two recent poll numbers. Referring to the Rasmussen report, only 21 percent of United States citizens believe that this government has their consent. I cite a second sobering statistic: according to CNN, 56 percent of Americans believe the Federal Government is a threat to the freedom of ordinary citizens.

As this health care debate proceeds forward despite the wishes of the American people, we are not only endangering their health care, we are endangering and jeopardizing their faith in their representative institutions, in their belief that this is a government of the sovereign people.

So in conclusion, Mr. Speaker, I again point out that there is a principled divide between the two parties: one wants government-run, bureaucrat-dictated health care; one wants free-market, patient-centered wellness. As we move toward the former, the American people's faith in their representative institutions will be continually eroded as they watch in obstinate insistence by this majority and by this administration to pass a health care bill that the American people have said they do not want.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

THE SYSTEM MUST CHANGE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. AL GREEN) is recognized for 5 minutes.

Mr. AL GREEN of Texas. Mr. Speaker, there are those who contend that we are moving too quickly, we're moving too swiftly, and that we must slow down. In fact, this translates into we really should not go forward at all. And to these who would contend that we should stop at this point, that we should simply let it go, my response is: we cannot let health care go, because it won't let us go.

The system is not sustainable. It is unsustainable as currently implemented. Currently, we're spending about \$2.5 trillion per year on health care; \$2.5 trillion is a big number. It's

difficult to get your mind around \$2.5 trillion; \$79,000 a second, however, is a number that we can comprehend. And that is what we are spending—\$79,000 per second. By 2018, depending on who's counting and how you count the numbers, we will be spending \$139,000 per second. That would be more than 20 percent of GDP.

We cannot sustain the current system. It must be revamped. This system has to change: 46 million people uninsured, depending on who's counting, when you count, and how you count. In my State of Texas, 6 million people uninsured and 1.4 million children in the State of Texas are uninsured. In Harris County, where I reside, 1.1 million people are uninsured. The system cannot continue as it is constructed.

We spend \$100 billion per year in emergency rooms; \$100 billion per year to cover those who are uninsured. That's money that could be well spent in a physician's office and would also help us to deal with preventive measures as opposed to responding to illnesses when they become almost dire.

The system must change. We currently have a system wherein there are many people who are too young for Medicare. They make too much to receive Medicaid. And they don't make enough to buy their insurance. The system has to change. We cannot allow preexisting conditions to continue to prevent pregnant women from getting proper treatment. Pregnancy is a preexisting condition under the current system. The system has to change.

We must find a way to muster up the courage to take on this challenge. If we could pass and did pass Social Security when the polls were against it, if we passed other crucial measures when the polls were against them, we can pass health care reform. And for those who contend that in this country how you got here will depend upon whether you will get treatment, my response is this: if you commit a crime in this country and you harm someone, and we should harm you as the culprit, when we capture you, we will give you aid and comfort. In this country, if you are an enemy combatant and you hurt our warriors in battle and we should capture you and you have been wounded, we will give you aid and comfort. In this country, if you're on death row and you're going to meet your Maker next week, we will give you aid and comfort if you're suffering this week, and send you to your Maker next week.

If we can give the enemy combatant, the person on death row, and the person who is a criminal aid and comfort, surely we're going to give it to people who find themselves hurt and in the streets of life. The system must change.

Dr. King said it best. He said, On some questions, cowardice will ask, Is it safe? Expediency will ask, Is it politic? Vanity will ask, Is it popular? But conscience asks the ultimate question and that is, Is it right?

This is the right thing to do. I stand where Dr. King stood when he told us we must do that which is neither safe nor politic nor popular, but do it because it's right.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

(Ms. ROS-LEHTINEN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

SPECIAL DETAILS IN SENATE HEALTH BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

Mr. BURTON of Indiana. You know, Mr. Speaker, I have great respect for my colleague who just spoke. While listening to him, a lot of people in their offices probably would think, Well, we're against the changes in the health care procedures in this country. That couldn't be further from the truth. Obviously, the health care system in this country needs to be adjusted, needs to be changed. But do we want a bill that's 2,700 pages long that's going to cost about \$3 trillion a year that we don't have and is going to put the government between people and their doctors, that's going to end up being a socialistic kind of approach to medicine, and which I believe will destroy one of the greatest health care systems in the world—the best health care in the world?

I think it's a mistake to approach this from the standpoint that there's only one way to solve the problem, and that is the way that the President wants to shove through the Congress and doesn't want to even talk to the Republicans or the minority about this.

We've had all kinds of suggestions: buying insurance across State lines to put more competition in it; allowing small businesses to ban together to get the same kind of rates of major corporations; individual medical savings accounts; making sure that people can take their insurance with them when they go to a new job; preexisting conditions. There's all kinds of things that we've suggested that we support that will reduce the cost of health care and give everybody the opportunity to have health care. And we've suggested these time and again.

The President had a bunch of our leaders down at the White House just recently and then he finally ended up saying as he left, Well, we'll leave it up to the electorate; that is what elections are for. Indicating that they're going to push through their plan whether we like it or not. And their plan is going to cost trillions of dollars that we don't have. They're going to have 10 years of coverage with only 6 years of taxes. And so when you take

the overall cost and really figure it out, it's not going to cost \$700 billion or \$800 billion, as they said. It's going to cost about \$1.6 trillion, minimum, over the next 10 years.

And what are they doing to get these folks votes? I will never impugn the integrity of my colleagues, but I think it's important that the American people know, Mr. Speaker, if they happen to be paying attention or my colleagues in their offices, what is being done to get these votes.

In Louisiana, Senator MARY LANDRIEU is going to get between \$1 million and \$3 million additional for her State Medicaid population. Vermont's going to get an extra \$600 million in Medicaid funding. They want to get those votes so they're porking up a little extra money for them in order to get those votes. At least that's the appearance. Vermont and Massachusetts secured \$1.2 billion in Medicaid money, a change that was described as a correction to the current system which exempts those two States because they have robust health care systems. Vermont's Senator BERNIE SANDERS also boasted he was going to get an investment worth \$10 billion to \$14 billion for community health centers that the rest of the country will be paying for.

Florida and New York and Pennsylvania, they're going to have Protected Medicare Advantage benefits, even as the program sees massive cuts in other parts of the country. Hawaii is getting a benefit. It secured an increase in Medicaid Disproportionate Share Hospital payments in Hawaii, while the other 49 States pay more for that special benefit. Senator MAX BAUCUS reportedly secured expanded Medicare coverage for victims of asbestos exposure in a mine in Libby, Montana. They're giving these things out to get their votes—at least that's the appearance.

Connecticut secured \$100 million for a health care facility. Western States secured higher Federal reimbursement rates for doctors and hospitals that the other States don't get in order to get votes. "Cadillac" plans: the unions secured a special deal in the Senate bill. It was a \$60 billion exemption for union workers from the Cadillac tax on health insurance.

Now, while President Obama's latest proposal removes the "Nebraska deal" that was scheduled to buy a vote from a Senator there, the unions still get their Cadillac plans. If President Obama is so concerned about public perceptions created with backroom dealing, why didn't he propose to strike all the special agreements, which he did not.

□ 1645

And then of course we just heard one of our colleagues, Mr. MATHESON, who voted against the health care bill, his brother was just appointed to the United States Court of Appeals for the 10th Circuit. Now, I wouldn't impugn

Mr. MATHESON's integrity at all, but it does look peculiar that they are trying to get his vote and his brother was just appointed to the Circuit Court of Appeals.

These sorts of things really bother the people of this country. And at a time when we really need to revise health care and work together, they're trying to buy a plan that is going to lead to socialized medicine.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Nevada (Ms. TITUS) is recognized for 5 minutes.

(Ms. TITUS addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

TECHNOLOGY AND FREEDOM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from California (Mr. ROHRBACHER) is recognized for 60 minutes as the designee of the minority leader.

Mr. ROHRBACHER. Mr. Speaker, tonight I rise to discuss technology and freedom. Unfortunately, we Americans can no longer rest assured that our freedom is secure and that the genius and creativity of our people will bring forth the innovation that in the past has enabled us to deter or defeat our enemies and has given us the ability as a people to overcome economic adversity and has provided the means to elevate the standard of living and general well-being of the American people as a whole.

America's greatness has been measured not by the wealth and power of our elites, as in other countries, but by the unbounding opportunity that has permitted all our citizens to live a decent, prosperous life. Now we see a great threat to that promise which until now has been taken for granted by generations of Americans. Unless we change our course, our children will not have the opportunity to live freer and better lives than what we have enjoyed. They in fact may be condemned to a dismal existence of national decline and personal deprivation.

This, unless we have the wisdom to understand what needs to be done, unless we have the responsibility to commit ourselves to getting that arduous

job done, unless we have the character to accept the temporary self-sacrifice needed for long-term progress and the courage to take on powerful interests who profit from current policies.

Ronald Reagan used to say, and I quote, "The phrase status quo is Latin for the mess we're in." Even the rest of us, the American people, suffer hurtful blows to our economic well-being. But of course that is most of the American people are suffering these blows. But there are those who enjoy great benefits from the current policies that are having such a negative impact on the rest of their fellow Americans. Our country and our people cannot much longer endure the current assault on our livelihood and personal financial stability. Yes, we will survive, individually and as a people. But Americans deserve more than survival.

Ours should be the freedom and prosperity, paid for by the blood and labor of those brave souls, those patriots, who over our Nation's 234 years stepped up and met the challenges every time to the dream of 1776, the dream that was threatened quite often in our country's history from within and from without. But now, of course, it is up to us, the United States. That is us. It is us versus them, the patriots versus the establishment clique, or perhaps best described as the globalists.

In the last year, we have watched in horror as hundreds of billions of our people's dollars have been channeled to a clique of Wall Street and financial market elites, many of whom put their companies at risk with irresponsible business decisions and then rewarded themselves with huge bonuses. Humble individuals would step forward to give back bonuses in such situations. No, not this crew. They didn't learn that at their Ivy League schools. Not one has expressed remorse nor gratitude, much less expressed a willingness to pay back the personal gains, huge personal gains made while driving their companies' solvencies into the dirt.

All of these bailouts, stimuluses, and giveaways have done nothing but put our country in further jeopardy. The Federal Government is now spending over \$1.5 trillion more than it is taking in. We are now facing a mammoth liability that should never have been ours in the first place. We are at risk, and it is not a result of a natural calamity or an uncontrollable business cycle. It instead is based and has come to us because of bad policies and bad decisions. It is a crisis we must confront and we must deal with or it will destroy the America we have known and loved.

Yes, we are facing a threat of that magnitude, a magnitude of something that could destroy the country as we know it. Yet so many decisionmakers, from city hall to Capitol Hill, and yes, to the White House act as if we can operate with business as usual, or even worse, we can put in place policies that will turn this crisis into a catastrophe by adding an even greater burden onto

the shoulders of our people and onto the shoulders of those people and those productive businesses throughout our country.

They think that they can even give more power and add more resources to the Federal Government. They think that the Federal Government can co-opt even more of the national wealth at the expense of the productive and wealth-generating workers and enterprises in our country. They think they can do this and we will still turn around and go up even as they are strangling those forces within our society that are necessary in order for us to succeed as a Nation.

I remember a few years ago there was a story about a New York politician of probably a century ago who was giving a speech at city hall who said, "The sword of Damocles is hanging right over Pandora's box." Well, there is obviously something wrong with that observation, but the bottom line is there is a sword of Damocles hanging over our heads. There is a huge threat that is present throughout Washington, DC, and yes, throughout our country.

And how did we get here? How did we become so vulnerable? Well, let's all remember as we look at this, we got there because of bad decisions and bad policies, which continue. My colleague DAN BURTON just went through this incredible proposal to institute what they call health care reform, which is really transformation of our health care system at the expense of billions if not trillions of dollars at a time when that expense will drive down our economy even more. As we are trying to strengthen the economy, we are going to drain it even more. It is the equivalent of bleeding patients in order to make them feel healthy, as used to be the practice.

How did we get in this horrible situation where our country is so weak? Well, to start with, when we talk about bleeding resources from our country, we have sent a trillion dollars overseas in the last few decades in order to buy from foreigners energy that we could have produced here. Yet over the last 30 years we have incredibly limited our own domestic oil and gas production. We have built not one new oil refinery. We have built no hydroelectric dams. We have had no new nuclear power plants. And even as we speak, the Bureau of Land Management continues to block the construction of solar power facilities in America's deserts. This official obstructionism is aimed at protecting the habitat of some desert lizard or insect.

The end result of this nonsense, all of this nonsense, of not trying to produce our own energy, not trying to develop even nuclear power or hydroelectric dams, the end result of this is that to meet America's needs, a trillion dollars or more has been drained from our economy. This has been the policy of our government, a policy pushed forward by radical environmentalists, the same ones who are probably influ-

encing the Bureau of Land Management not even to let us have solar power plants in the desert because they care so much about lizards and insects. These radical environmentalists, who are deluded enough to believe that they are helping us by depriving us of energy and deindustrializing our country, have had a horrible influence, but no one has been willing to step up and say, "You're wrong." No one has been able to confront this force because it has been politically correct. It has been popular. It has been promoted in the press as if these people are idealists. Well, they are extremists.

Everyone in their right mind believes in trying to set a plan for the future and believes in clean air and a clean environment and clean soil. I have three children at home, Christian, Annika, and Tristen. Three little children. They will be 6 years old within a few months. I want these young people to have a clean environment. Of course we all do. We don't want them to be affected in a negative way, or any children in our country or around the world affected in a negative way. But the environmental extremists who dominate the majority party in this Congress are preventing us from developing our own energy resources and preventing us from having the economic progress we need to come out of this crisis.

At this moment they are preventing massive amounts of fresh water, runoff from the snow melting in the High Sierras, from being channeled in California to the agricultural areas of our State. As we speak, at this moment, millions of gallons of fresh water are flowing into the ocean instead of being permitted to be used in the agricultural part of our State. All of this to protect a little fish at the demand of radical environmentalists, radical environmentalists who obviously have the ear of the majority of people who are in this body. This little fish that they are protecting, the delta smelt, is not even big enough to be used as bait. A fish that is not even indigenous to California.

Yet the well-being of this little fish has been put, by the powers that be in Washington, D.C., on a higher priority by these political decision-makers than the price of food for the rest of the population, including all of our children. It has been put on a higher priority than the jobs and well-being of farm-related workers throughout California, and yes, throughout the United States. Crops are withering in California. They are withering because water is not being permitted to go to them and it is being channeled into the ocean. That is the policy. Billions of dollars of wealth as we speak are being lost forever.

And one asks why our economy is on the verge of collapse? Why we haven't been producing the revenue so we end up with \$1.5 trillion of deficit? Well, policies in Congress like putting wildlife and their well-being over the well-being of people actually have brought

us to this situation and actually are making things worse, and are making it more difficult to work our way out of this economic challenge and this economic crisis. And it goes on and on.

□ 1700

With these higher energy prices, which are destroying the family budget, I might add, and pushing our country into an economic crisis, it's destroying—the local people, our ordinary people, their personal budgets are just destroyed, and they have no faith. They're losing hope because they can't see their way out of this pileup of debt because the economy is being strangled, and they can't see a way they can prosper in the economy. That's what's happening to all of our people individually. But as a whole, our country is in such an economic crisis.

And what does Congress do? Because these energy prices are, as I say, draining the family budget and draining the national budget, what does Congress do when it comes to energy? We pass a job-killing, energy-suppressant legislation, the cap-and-trade bill. This bill, which has passed this body in the midst of this economic crisis and as the energy crisis loomed, this bill, which passed our body, will make it even more difficult to produce the energy that we now depend on. And the excuse? Well, this time it's not saving a little fish. The excuse for passing this economy-killing, anti-energy legislation is what? Saving the planet. We can understand how they might want to save a little fish at the expense of all of us. But how are they going to save the entire planet from manmade global warming?

Well, more and more evidence that this theory is bogus surfaces every day. The public and decision makers for 10 years were inundated by phony science, altered numbers, and outright fraud. Scientists who disagreed with the manmade global warming theory were cut from research grants and prevented from publishing peer-reviewed dissenting opinions. It's all coming out. Everyday we see stories verifying that this is fraud, and what's been going on, the lies that have been told, the altering of numbers and statistics, the cherry-picking of actual information that would be put into computers to come out with solutions. All of this is coming out more and more every day, yet the Congress ignores all of that, as do the science advisers of this administration. They ignore this evidence. They belittle it, claiming that the case—No, no, this is inconsequential, but the case is closed.

How many have heard that expression? "The case is closed." Well, that means they won't listen. That means that they won't even permit disagreement or permit an honest debate of the issue. This is what the proponents of manmade global warming have been doing for the last 2 years to stifle debate and prevent the American people from getting a balanced view of the po-

sitions, of the various positions that are taken on the proposal that mankind is changing the climate of the planet and making the planet warm up.

Well, even as we wade through the snow and the freezing weather that really is gripping large parts of our country and the rest of the world, I might add, even as experts now confirm that there's been a lack of warming for 15 years, economy-killing legislation passed in the House has been put forth in the name of stopping manmade global warming. Well, at least that little fish that they were trying to save and all the hardship on regular people to save that little fish is real. That little fish is real. Manmade global warming is a hoax.

I would point out there are many prominent scientists from around the world, major scientists, heads of universities, science departments, et cetera, from around the world who have taken a position that manmade global warming, as it has been presented to us, is false.

Well, we've had cooling and warming cycles in the Earth's climate for millions of years. These cycles are tied to solar activity, just like temperature trends that we've identified on Mars and other bodies in our solar system. By the way, what does solar system mean? Solar, the sun. The sun is the greatest source of energy not only for our planet but for the other planets. And we see on Mars the same type of temperature trends. I guess they must think there is some sort of SUV or something being driven on Mars that creates the temperature change on Mars.

Well, global warming should not be the issue because it's a fraud. What should be the issue is global pollution and the preventing of global pollution. But this distinction between global pollution, which is the pollutants that hurt human beings, versus carbon, CO₂, which is something that actually is beneficial to the planet. Actually, it helps us grow more plants, and it is not harmful to human beings. The fact that they are focused on CO₂ rather than pollutants hurts us in our efforts to stop the pollutants that are hurting people and at the same time is costing us billions of dollars with no payback whatsoever. In fact, we are spending billions of dollars unnecessarily in order to justify the research which has been done in order to justify the accusation that it is mankind and not the sun that is creating changes in our atmosphere.

The temperature of the planet is not manmade. We can't do anything about it. But the energy shortage, the energy shortage is manmade, and we can do something about that. And that is costing us billions of dollars as well. Billions, perhaps trillions of dollars.

Global warming is a fraud that has made the job of dealing with the energy crisis almost undoable. It has hampered our ability to solve the energy crisis, and we have made it

worse—much worse—by legislation that was passed in this Congress in the middle of an economic crisis. For years, it has been a costly drag on our economy, this concept that we're going to try to outlaw CO₂ rather than getting to pollutants.

Well, now with a horrendous crisis looming, with a sword hanging over our heads, not producing domestic energy is no longer acceptable. The economic consequences are too damaging and too painful, painful to our people. We should be aggressively looking for ways to produce more energy here rather than searching for reasons to prevent increases in domestic production because that's what the powers that be in this Congress now are doing. That's what happened with the cap-and-trade bill. They are looking for reasons to prevent domestic production of the current energy that we depend upon. The end result has been, yes, a hampering of domestic production and has thus resulted in a decline in wealth generation in our country.

So imagine that: We aren't being permitted to develop our own energy. Thus, the amount of wealth that's being generated in our country has been declining. And because there is less wealth, people are beginning to suffer. A transfer of wealth to those countries when we are purchasing energy that we could be producing ourselves is impoverishing our country. That's right. We could produce it ourselves, but yet we're buying it from overseas, and we have less wealth here. This, as I say, has cost our economy trillions of dollars, trillions, and we are expected to continue our economic woes even as Congress passes more restrictions on domestic energy production.

Then, of course, when it comes to wealth transfer, one needs to look closely at America's trade policies, another major cause for an economic decline. We have been betrayed by wrong-headed idealists both when it comes to the environment as well as when it comes to trade policy. We have also been betrayed by powerful special interest groups in our own country who have global goals in mind, both environmentally and economically—at least that's what they say. The American people, as trusting as they are, have expected their government to represent their interests in trade negotiations. Instead, our representatives have focused on long-term global goals. And time and again, our interests as a people have been a secondary instead of a primary consideration for those with authority who are supposed to be protecting our interests.

You know, when people representing the other countries sit down with us to negotiate, their people know that they're supposed to be negotiating what is in the interest of their people. We expect them to do that. The people on our side of the table have something much more majestic in mind than just the self-interest of our own people, as if

there's something wrong with a Democratic government representing the interests of people who elect them. And we have gotten a short end of the stick. We have been shortchanged in these negotiations, trade negotiations, because we haven't had anybody there aggressively demanding what's in the interest of our people. But instead, we want to create a global system, and we want to convince these other people to sort of inch over in this direction so we can be part of a global effort.

Now don't get me wrong, I believe in international trade. I believe really, actually, in a robust trade between free people, and I believe such a trade between free people is a benefit to both parties. Especially if the ground rules are fair and equal and negotiated out between the two peoples, a trade between democratic countries is a win-win. Well, there is obviously something seriously wrong when our economy is sputtering to a halt while our trading partners are going into high gear.

Free trade between free people, which is my motto, should not be blamed for this because the problem is not free trade between free people, it's free trade on one side and controlled on the other. Free trade with a controlled and autocratic government is inherently not free. If permitted to do so, which is what our negotiators have permitted, the power of economic activity will be directed by these tyrannical governments, like China, to bolster the power of their elite, and it will be done at the expense, yes, of their own people's freedom, but it will be done at the expense of the economic well-being of our people.

Under this guise of free trade, which has not been challenged—because it isn't free trade if you're dealing with a dictatorship like China—we have had policies aimed at creating a global system. That's why we're permitting the Chinese to get away with this because we want them to be a part of a global system which includes everybody and, thus, will have a positive influence on all of these other countries. Well, the global system will supposedly include everybody—dictators, rogue regimes, countries where people are treated like serfs by gangsters, and criminals, and tyrants. Sorry, we don't need free trade or to be in a binding relationship with those types of regimes, and we don't need to be controlled by a global trading establishment that will result from all of this planetary organization of commerce. And you can bet that that global trading establishment, the systems that will be set up, will be eventually dramatically influenced, if not dominated, by nefarious regimes and self-enriching elites.

This, the WTO—which is what they're trying to create as a global system—will be and is becoming more like the United Nations. The United Nations, which was a theoretical dream but in reality, a nightmare for free and democratic peoples. The U.N. is an organization that gives China, the

world's worst human rights abuser, a veto, and it provides General Assembly votes to the likes of Burma, Iran, Cuba, and North Korea. Oh, that's a good gang on which we should depend upon. We should make sure we're a part of an organization that gives them an equal vote in the General Assembly to ours or gives China a veto over anything the U.N. can do.

□ 1715

And speaking of China, here, too, is an explanation of why our country is on the verge of an economic calamity: We have permitted Communist China a one-way free trade policy for the last 20 years. And yes, when it was democratizing and opening up, such a strategy might have been justified at least for a time. During the Reagan years, we saw a liberalizing China. Reagan made it clear, and I know this because I worked with him on his speeches when he went to China, he made it clear that as long as progress toward openness and freedom continued in China, our generous trade and commerce policies would continue to be in place.

Then came Tiananmen Square. Unfortunately, Reagan was not President when this historic atrocity was committed. The Tiananmen Square massacre was not something that needed to happen, but it did happen. I believe had Ronald Reagan been President, it wouldn't have happened. He would have sent a telegram to those Communist dictators and said, If you slaughter the democratic movement and end democratic reform in China, we will withdraw your credits. There will be no technology transfer. There will be no investment in your country. There will be no open market for your goods. Don't do it. That is what Reagan would have done.

Do you know what the telegram was that President Bush, the father of our last President, sent? Do you know what it said to those Chinese Communist bosses about to make the decision to slaughter democracy in their own country? It didn't say anything because he never sent the letter. He never sent the telegram. In fact, there was no communication and no repercussions that the Bush Presidency used against the Communist Chinese atrocities committed in Tiananmen Square. Yet it changed history, and we let them get away with it because, you know what? There was an elite in our country that were making money by making deals with the Communist Party leadership in China.

For 20 years, we have let the policies that we put in place to encourage democratization stay in place even as these brutal Chinese dictators consolidated their hold. All along, the dictatorship has been strengthened by its position and strengthened in its position by exploiting America's wealth and technology which we have heaped upon them even after Tiananmen Square. We strengthened them at our expense.

Our China policy has decimated manufacturing in America and drained trillions of dollars from our economy. Note that. Again, more trillions of dollars drained from our economy. No wonder we are in an economic crisis. The regime in Beijing murders dissidents. It prosecutes and persecutes religious believers, whether they be Christians, Muslims, or Falun Gong. There is no freedom of speech, no freedom of association, no opposition parties, no free press, no independent judiciary. Yet we treat China better than we do some democratic countries, or countries that have at least made reforms, like Russia, that have made dramatic reforms, although they are imperfect.

Over the years, our elite has been encouraged to make deals to set up manufacturing in China. So factories and production have been shut down in the United States, and some companies have opened up new factories. Some of those same companies have opened up new factories in China. Over and over again, it has taken its toll on us. Not all of us, of course. The corporate elite gets a substantial short-term profit by some of these forays into the Chinese market, enough to warrant big bonuses for the short term.

It is our Achilles heel. Our corporate elite will sell out the well-being of their grandchildren for a quick profit next year. China, on the other hand, has long-term interests. In the long term, they get our assets and our wealth-generating technology. The bosses get rich quick selling out their employees. American consumers get cheaper products in the short term, but in the long term they and their children don't have any good-paying jobs. Not even enough to buy those cheap products. Even Congress wouldn't be stupid enough to buy that deal.

Oh, but there was a sweetener to that deal, of course. The sweetener was, if we let the one-way free trade keep on, it would bring about world peace, especially peace with China. Now, isn't that something that we have heard over and over again, just like the mantra of global warming. Oh, we are going to have a democratizing China and world peace if we just continue to allow this one-way free trade policy, which is obviously not working in the interest of our people.

Well, if there is one thing that liberals might like even better than stopping man-made global warming, it is world peace. And on top of that, on top of feeling good about a nice slogan, our really rich guys here in America are making a lot of money to boot, and they are friends with all of these policymakers. Well, policymakers promised political liberalization in China would result in more personal contact and more prosperity in China. To get them to do business, basically they promised us that because that is what we needed in order to keep these trade policies in place. Well, the promise that there would be a liberalization in

China because they are having more interaction with us, it is what I call the "hug a Nazi, make a liberal" theory, and it hasn't worked.

There has been no liberalization. We have created a Frankenstein monster that now threatens us militarily, and as our subject is here tonight, this gang of thieves now has leverage to drag us down and destroy our prosperity and the prosperity and well-being of our people. We are now vulnerable to a corrupt dictatorship in Beijing, and after Tiananmen Square, we have ended up not just having most-favored nation trading status, but under Bill Clinton, he made most-favored nation trading status permanent. Bush allowed after Tiananmen Square for the policy to continue; Clinton made it permanent.

One of the most disturbing aspects of this unholy relationship has been the transfer of American technology to China, technology used against our remaining manufacturers and against our defenders, and technology that advances Chinese military power and threatens our safety. Technology has flowed over there. Much of the technology to which I refer was a product of R&D paid for by the American taxpayer. Letting such American innovation be used to bolster and strengthen such a monster regime in China is sinful and an incredible betrayal of the American people and a disservice to the freedom loving people of China. Let us note that I believe the Chinese people are our greatest allies. They are the ones who will rid themselves of this tyranny and save the world from this threat. We must do everything to reach out to the people of China who are our friends by fighting, by confronting, not fighting in terms of military, but confronting the Chinese dictatorship just as we should be doing in Iran.

But there is a deal between our corporate elite and the Chinese hierarchy. Our corporate elite wins. Our people lose their jobs. Freedom loses. Our government has foisted this upon us. Our government permits the Chinese to keep their currency value artificially low, which makes China even more able not just to compete but to overwhelm our manufacturers. They have been keeping their currency artificially low so they can obliterate domestic manufacturing in the United States, and we have permitted the limited access of our products to their market while at the same time we have opened up our market totally to Chinese-made products. They limit our access to their markets while they have unlimited access to ours. Their currency is kept at a low level to make sure that the flow of wealth is coming in their direction by manipulating currencies. We have permitted technology and investment to go there even though it is a dictatorship. So what we have seen is trillions of dollars have been drained out of our economy.

So wages in the United States have been depressed. Our manufacturing in-

frastructure has been nearly obliterated. We must deal with this situation or America will continue to slide down even as the power of Beijing ascends. It will continue to affect our prosperity and freedom, and we will become more docile and more subservient, even as the arrogance and the maliciousness of the Beijing regime becomes apparent.

China trade policy must be on the list if we are to get ourselves out of the downward economic spiral that we are in. Trillions of dollars of wealth are being drained from our people, yet we hear no such proposals about China trade. In fact, there is legislation making its way through Congress that would make the situation worse, surprise, surprise. It would result in even more American technology and know-how ending up in Chinese hands and being used against us. There are proposals in Congress to weaken export control laws that control the flow of American technology.

I agree that with free nations, our entrepreneurs and enterprises should be free from the heavy-handed restrictions they now face. This, of course, as long as the final destination of the people we are dealing with is not a transaction that will end up delivering products to threatening nations like China or Iran. But the American business community insists on one set of rules for all. Rather than a two-tiered system, free trade with free and democratic countries being on one tier, with continued controls over the technology transfer to countries which are controlled by dictatorships and belligerent regimes, no, they can't have that two-tiered system. It makes sense, but not to a businessman who thinks of himself as a citizen of the world, not as an American patriot or not as someone who is associated with just Americans. He is a citizen of the world. Of course, yes, he is a citizen of the world just like all people around the world, they want a fast buck. Well, it is our job to protect the interests of the American people, not the interests of an elite who want to make a fast buck in dealing with dictators.

Interestingly enough, one of the issues of contention in this debate deals with the launching of U.S. satellites on Chinese rockets. The last time this was tried I thought it could be done as long as safeguards were in place to prevent transfer of technology. It turned into a national security nightmare. The safeguards were promised by the Clinton administration, but they were never enforced. When I realized this, I immediately changed my position on the issue and, in fact, conducted a personal investigation that turned out to discover a damaging transfer of rocket technology to China. Later, the Cox Commission verified our national security had been severely damaged.

Now the same arguments are being made. Now current Chinese rockets, however, have benefited from the technology they took from us and were

given 15 years ago. Well, if we permit them to launch our satellites on their rockets, we will be undercutting our own rocket industry. You can kiss our aerospace industry goodbye. If our major companies like Boeing and GE start outsourcing aircraft and rocket parts to China, kiss our aerospace industry goodbye. Give them even more access to our technologies, and we will not be able to recapture the economic momentum that we need to weather our current crisis.

If our manufacturing and our know-how goes to China, we lose. China is and should be treated as America's adversary both in economics and an adversary to our democratic system as well. But the move to relax our restrictions and controls on the transfer of technology to China is moving forward here in Washington, as is the proposal to launch U.S. satellites on Chinese rockets. All of this is part of a trade policy that has obviously worked against us, us, the United States, the people of America. It has worked against us. Yet instead of being advocates of democracy to the Chinese leaders, as we were told would happen, our businesspeople will go there and interact with these Chinese leaders and they will become more democratic. They will learn to trust us and be more benevolent.

Well, instead our business community, instead of lobbying the bad guys, is here lobbying us on these policies in order to support their buddies in Beijing.

Just as disturbing, another windfall may be handed to China as well, as well as to other foreign competitors of the United States as part of a so-called patent reform bill that is making its way through the legislative process. For two decades, those very same corporate elites, especially in the electronics industry, who have been shipping jobs to China have been pushing hard for fundamental changes in America's patent system. Pro-inventiveness rhetoric has masked their attempt to dramatically diminish and even destroy the patent protection that has been enjoyed by Americans since the founding of our country.

□ 1730

Well, our only chance of getting back from an upward economic path is to increase our efficiency to produce more wealth through innovation and to use the creative genius of our people to build the machines that will enable American workers to compete and to beat foreign adversaries.

One of America's greatest assets, the bulwark of our freedom, that is the irreplaceable testament to the economic strength and wealth production in our country has been a strong patent system. It's been the right of our people, specifically written into our Constitution in article I, section 8, that guarantees the right of ownership to inventors for a given period of time in order to stimulate innovation and progress, and, yes, lead to general prosperity.

And it worked. That's why Americans have had such a high standard of living. People work hard all over the world, maybe harder than Americans, but we've had the tools and the equipment and the technology and the machines to out-compete those people throughout the world and build a standard of living of ordinary people. That's what we're proud of.

Other people work hard, as I say, but we produce the wealth, as never dreamed of before for normal, ordinary people, because we have the tools and the machines. And when threatened, our genius saved us from foreign despotism and tyranny, from hostile ideologies like fascism and communism. Our technological superiority is even more useful today when we are in a life-and-death struggle with radical Islam—not Islam in general, not the 1.5 billion Muslims on this planet who we have to reach out to just like we reach out to the people of China—but to the radical Islamists who would hurt us, who would kill our people as they did on 9/11.

Some foreigners would like to use the product of our creative genius against us. Unfortunately, there are those in the corporate elite who are willing to let that happen. The mega-electronics industry has been investing huge sums of money, campaign donations, for 15 years to accomplish this insidious goal of diminishing or destroying America's patent protections. They are the last ones you would think would be the enemies of patent protection because they are the biggest names in the electronics industry.

But why should such companies do this? Why would companies that appear to depend on innovation want to destroy the patent system? Because they produce products that contain multiple elements. Each one is a separate invention. Whether it's a cell phone or computer or other technology, there might be 20 elements that someone else invented, and they must use that capability in order to stay competitive. The big boys don't want to pay royalties to the little inventors, so instead they're negotiating an agreement that will undercut America's independent inventors, little guys, as well as other industries. It will permit these mega-tech multinational corporations to steal because they're going to make it legal. They're going to change the way the law works. They're going to diminish patent protection.

Well, the fact that this will also enable other gangsters around the world and other people around the world to steal America's technology, just like they're trying to steal it from America's little guys, that's of no concern to them because these corporate elites also are global thinkers. Many of them, as I said, consider themselves citizens of the world. Yeah, globalists.

For 15 years, they have tried time and again to ram through major fatal changes to our patent system, and each

time they have been thwarted by a small band of patriots. That's right, the patriots can still beat the big guys. We can beat the globalists. Just last week, a bill made its way through the Senate Judiciary Committee. Chairman LEAHY is looking for floor time to bring it to a vote. Once it passes, it is likely to make it through the House.

The Senate's legislation will not destroy the patent system as was the case with all of the past legislation that these mega-tech industries have tried to foist upon us, but the fact is that it will undermine and diminish the current levels of protection as a compromise with these big businesses. Why should we compromise with mega-tech companies that want to diminish our rights? They say they want to harmonize our laws with the rest of the world—again, a globalist approach. No, Americans enjoy more freedom and more rights than the people of the world. If they want to harmonize their laws with us, let them increase the protection that they give to average citizens rather than diminish it.

The bill right now is going in the wrong direction even though there has been compromise. It still is taking us in the wrong direction even though the mega-tech companies, some of the major players who have been calling for this bill to be passed actually helped mold the first bill that was passed through this House, these people now say they don't support the legislation. We need to just say that bill contains compromises that are doing no favor to anybody, not the big guys, the little guys, not to American competitiveness, not to those people who are inventors, not to anybody.

We should just simply wait until next year. We can then build a strong coalition for patent protection with biotech, small and medium electronic firms, pharmaceuticals, colleges and universities, small inventors, all the people who actually are the mainspring of human progress for America. We can strengthen them by giving them more legal protection for their inventiveness.

Of course, compromise is not good enough for these mega-electronic firms, so they actually are opposing the bill too. Let us all work together then in making sure this Leahy compromise legislation does not pass and that next year we pass a bill—not for the mega-tech companies that are trying to destroy the patent system, but for the American people who depend on innovation.

The fight could go either way on this bill now, but let's hope that we can basically thwart their efforts because there are people in China and overseas right now waiting for us to change the rules in order to make sure they can get the technology and steal it from the American people themselves.

By the way, since 1996, these mega-tech companies, these electronic companies, which have sent thousands and thousands of jobs over to China, have

been sued by little guys in 730 cases of patent infringement. These megacompanies, they don't want to suffer those cases. They just want to be able to take that intellectual property, even though they didn't invent it, and not pay for it, and benefit and profit from it themselves without giving royalties to the inventor. That kind of dynamic put into our system will undermine American progress and bring us down.

Thanks to our independent judiciary, these infringements have cost the big guys \$4 billion in judgments. We need to keep in place a system in which if big guys are trying to steal from the little guys, the little guys can win, the patriots can win. But the big guys, they want to change the rules, let's see if we can do it. We need to have the American people alerted to this.

To get out of this crisis, this is what we need to focus on. The American people are becoming focused because their whole way of life, their specific standard of living of their family is being threatened and they understand that. We're going to get out of this and get back on a path of economic growth. If our children are to live in peace and enjoy prosperity, we must produce our own energy, we must have trade agreements that are done not at our expense, but are mutually beneficial trade agreements, and we must protect our freedom, especially the rights of technology ownership that have served America so well.

An innovative surge will give us the edge. It will give us the ability to produce more wealth, create more jobs, and keep America competitive. We can produce and grow our way out of this crisis, but the challenge will not be met by wishful thinking. Patriots must act to save the day. We can rely on freedom and technology, but only if the patriots act to ensure that freedom and technological progress are not undermined by counterproductive policies and changes in the law that have been foisted upon us by powerful interest groups or ideological zealots, or just plain idiots with influence. Patriots have to step forward, or things will continue to go haywire and the standard of living of the American people will go down.

We will not sit idly by. Patriots can and will win. We will not give up our freedom. We will not give up the dream. With freedom and technology, there is no limit to what we as a people can accomplish, no limit to how far we can go, no barrier to progress that we cannot bring down.

Ronald Reagan used to say there's nothing wrong with our government that cannot be fixed with one good election. Well, I would amend that by saying there is nothing wrong with our country that can't be corrected by patriots working together. And with freedom and technology, we will overcome the economic challenge and crisis that we face, and we will ensure that our children are given the freedom and the

opportunity and the decent standard of living that we have enjoyed as Americans over these last few decades since the great generation of Americans stepped forward and saved the world from Nazism and saved the world from communism and saved the world from fanatics who would murder and terrorize decent people throughout the world.

We have a very special role to play. Americans come from every race, every religion, every ethnic group. We have come here to show the world there is a better way, that we can live together in peace and respect each other. As this conglomerate people, we represent an ideal, not a territory, that we have to reach out to those people throughout the world and provide leadership as an example. That is what this fight is about. The patriots will win because we are doing so for the cause of all freedom and humanity.

Mr. Speaker, I yield back the balance of my time.

PROGRESSIVE CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Minnesota (Mr. ELLISON) is recognized for 60 minutes as the designee of the majority leader.

Mr. ELLISON. I will claim the time on behalf of the Progressive Caucus, but I have a few boards to put up, so I'm going to grab those right now.

Mr. Speaker, I am KEITH ELLISON, and I am here to deliver the progressive message. I am looking forward to having some other Progressive Caucus members join me, but in any event, we'll be here tonight for a few minutes to talk to America about the progressive vision of America.

America is a great country because people stood forward and had a higher vision of what could be. Yet we came here as a Nation and the United States said, you know what? We can have a country where all men and women are created equal. We have to make that happen. And so Americans set out on path to what? End slavery then exalt the rights of workers, then eliminate gender discrimination and have the women's right to vote, and then move on forward to spread economic prosperity to all people to make sure that working class men and women during the Great Depression were able to have the kind of economic wherewithal that could see them through a difficult time.

America is a progressive idea. We saw the end of segregation because Americans of all races and colors stood up and said, you know what, this Jim Crow offends the basic principles of our Nation, so we're going to end this thing. It wasn't easy; it wasn't pretty. It was real messy and people gave up everything in order to pursue that ideal, but they did. And so America is really, at the bottom, a progressive idea.

Today, challenges are before Americans again today, none more important than the fight for health care, none more important than the fight for universal health care. As a member of the Progressive Caucus, I come here as a person who really would love to see universal single-payer health care; it's the right way to go. But single payer did not make it into the debate, really, this year, but important ideas like the public option did, and we're fighting for those ideas tooth and nail to the very last.

The progressive message tonight, talking about health care, as I have so many weeks before, is an idea that is coming to the floor. And it is no time to stop talking about health care reform now because Americans, we've been through a lot of changes. You all remember when the President started off his service, the President started off and said we're going to move forward on health care and begin some health care summits. We had a number of conversations as we went through and went forward, and of course, as so often happens, Members from the other side of the aisle, the Republican Caucus, had a lot of complaints, but they didn't have many constructive ideas. We moved forward anyway.

We went through the spring where we had literally tens and tens and tens—dozens of community hearings and hearings here on Capitol Hill about health care reform. We had witnesses come in and talk about how to bend the cost curve down, how to reduce cost, how to expand coverage. We literally had well over 100 hearings on health care reform. And as I said, we went into the communities. I had a number of community meetings myself where we talked health care reform. We had this debate right on up until the beginning of August, and people were telling us the public option is dead; but the public option, as we know, is not dead. We kept fighting for it and kept bringing it up. We kept rallying Americans, Mr. Speaker, and we just wouldn't break and we just wouldn't bend and we kept the conversation alive. We kept the conversation alive even though we had a very tough economy to deal with, even though we had to deal with the failing auto industry, even though we had a financial catastrophe.

We understood that getting health care reform right was key to prosperity for the poor, for working class people, and for middle class people; so we never really gave it up. In fact, even earlier today somebody said, Keith, what are you going to talk about tonight on the Special Order? I said, You know what I'm going to talk about? I'm going to talk about health care. They said, Wow, we're sick of talking about that. You know what? We don't have the luxury to be sick of talking about health care reform because right now, at this very moment, there are people who are facing being rescinded, being cut off health care insurance, people whose

medical expenses have gone so high they have to consider bankruptcy in order to make it and survive economically.

□ 1745

There are people who have their children getting ready to turn 22, just like I recently had a situation where our health care carrier told me, On your son's birthday, which should be a happy occasion, he is going to be terminated from your health care policy. This is my own son. I'm a Member of Congress, and I'm trying to sit and figure out how we're going to get my boy, who is going from 21 to 22, covered because he is going to be looking for health care coverage in only a few days.

Americans are going through this all the time. Some Americans are thinking, Wow, I just hope I can get to 65 so I can get Medicare because then I won't have all of these problems. I'll be able to afford health care like I haven't been able to afford it in so many years. Americans are in dire straits. So it doesn't make any sense for anyone in this Congress to say they're sick of talking about health care, because Americans aren't through fighting these health care nightmares that we have to deal with every single day, day in and day out.

So we are here with the congressional Progressive Caucus. This is our email. If you want to contact us and let us know what your ideas are, the Progressive Caucus is open to ideas. We believe that progress is made through new ideas, and we want to hear about them.

We are going to be talking about health care tonight, and I'm hoping to be joined by some of our colleagues. I just want to start the conversation out talking about health care and about the economy and how these two ideas are linked together. It's shocking, shocking, shocking news. How do you like this one, folks?

Health insurers break profit records as 2.7 million Americans lose coverage.

Wait a minute. I must be reading this wrong, Mr. Speaker.

Health care insurers break profit records as 2.7 million Americans lose coverage.

Do you mean they're breaking records and getting more money than they ever got before as they're throwing people off coverage?

Well, that doesn't seem right. You would think that, during this time, Mr. Speaker, of reviewing health care policy that somebody somewhere would have at least the good sense to say, Well, maybe we shouldn't throw all of these people off at the very time we're making all this money. Maybe it would look bad.

Well, these avaricious folks don't have any shame when it comes to trying to grab more money. Just like some of these people in the financial services industry are giving themselves record bonuses as America's banks

have enough reserves but aren't lending it out so that small businesses can help grow our economy. As we're in the middle of a financial crisis, they're giving each other bonuses. Then they feel put upon and personally attacked because they can't go get a gazillion more dollars of American taxpayer money. It's really something.

Health care insurers break profit records as 2.7 million Americans lose coverage.

Mr. Speaker, I'd just like to show, to whomever is looking, the report where I get this information, this report of "Health Care Insurers Break Profit Records As 2.7 Million Americans Lose Coverage"—the February 2010 Health Care for America Now! This is something very important. It's a great report that I would recommend people get. You can get it on the HealthCareforAmericaNow.org website. People need to check it out, Mr. Speaker, because it is the kind of information that can really help to get you engaged, to get you involved and to get you moving toward real health care reform. Let me just read a little bit from this report so the Americans who might be watching might just get a taste of this important report.

The five largest U.S. health insurance companies, Mr. Speaker, sailed through the worst economic downturn since the Great Depression to set new industry profit records in 2009, a feat accomplished by leaving behind 2.7 million Americans who had been in private health plans. For consumers who kept their benefits, the insurers raised rates and cost-sharing, and cut the share of premiums spent on medical care. Executives and shareholders of the five biggest for-profit health insurers—United Health Group, Inc., WellPoint, Inc., Aetna, Inc., Humana, Inc., and Cigna Corp.—enjoyed a combined profit of \$12.2 billion—that's \$12 billion with a "b"—in 2009, up 56 percent from the previous year. It was the best year for big insurance.

Wow. Wow. That's amazing to me. These folks are coming down here, saying that they've got to have the private insurance go their way so they can survive while they are reaping mega-profits. Mr. Speaker, it's wrong. We've got to do something about it. It's downright unpatriotic. I will continue.

The outside earnings are a vivid reminder that, without comprehensive national health care reform, the gatekeepers of our health care system will put the short-term interests of Wall Street before the needs of millions of patients and a national economy plagued by joblessness.

I'm not going to read the whole report, Mr. Speaker, but it's worth it to go on a little further.

The 2009 financial reports from the Nation's five largest insurance companies reveal that, one, the firms made \$12.2 billion—an increase of \$4.4 billion, or 56 percent, from 2008. Four out of five of the companies saw earnings in-

crease, with Cigna's profits jumping 346 percent.

Cigna's profits jumped 346 percent. That's pretty good. Now, this is as Americans are losing their health care benefits, as unemployment is spiking. As people are in real pain, they're getting more money.

The companies provided private insurance coverage to 2.7 million fewer people than the year before. Four out of five of the companies insured fewer people through private coverage. United Health alone insured 1.7 million fewer people through employer-based and individual coverage.

That's why I'm an advocate of universal, single-payer health care. As long as the private insurance market is a player in this thing, they're going to offer the worst at the highest price.

All but one of the five companies increased the number of people they covered through public insurance programs—Medicaid, SCHIP, Medicare. United Health added 680,000 people to public plans. That's me and you. That's the public.

The proportion of premium dollars spent on health care expenses went down for three of the five firms, with the higher proportion going to administrative expenses and to—guess what?—profits.

I know you're shocked.

One last paragraph, Mr. Speaker, so that people can really get a flavor of this thing. I'm hoping that people will really get a handle on this and will look into it so that they can see what's really going on. You can't figure out what's going on by some of these talk show hosts. Depending on what stations you like to watch, they're not going to tell you the truth. They're going to be busy telling you all about death panels and school-based sex clinics, and they're going to say government is taking over health care. Well, I'd rather have government take over my health care than have United Health take over my health care. I would. I think a lot of Americans would probably agree. Some may not, but I think most Americans expect the government to make sure that the private corporations in the health care business play fair with the American people. Let's go back to the report.

The shedding of 2.7 million members from private health care plans is part of the industry's long-term shifting of responsibility of the care of millions of the sick, older, and lower-income customers to taxpayer-supported government health programs, such as Medicaid and State Children's Health Insurance plans. State and Federal programs have increasingly been hiring big insurers to manage their care.

Well, I think we need to not do that. We need to get a plan that really provides some real competition for these people, like a public option or, better yet, have single-payer health care and just get the private market out of the health care business and allow private doctors to take care of patients as op-

posed to private insurance companies, which, Mr. Speaker, I will say don't really add value to the health care equation.

What do these people do? They move paper around. They don't see patients. They don't diagnose. They don't treat. What do they do? What do they add? Do they go get one aspirin? Do they put gauze on or dress wounds? They don't do anything like that. I think that they are, more or less, parasites on the system. They're taking massive amounts of money out and are leaving 2.7 million people behind in the year they've made the most money of all. So here is a little bit more from the inside of the report.

Faced with such onerous costs, many customers are winding up uninsured. Health insurance premiums have risen so high that experts have forecasted that 52 million Americans will be without coverage this year.

Now, Mr. Speaker, I know and you know that the number we always toss around is 47 million, that 47 million Americans don't have health care. Well, if that's what you say, you're wrong. We're approaching 52 million. There are 52 million Americans who are without health care, and this is at a time when we're in the very middle of a debate around reforming health care.

Left alone to purchase a health care plan directly from private insurers, many will have no choice but to remain uninsured or to buy cheap policies with inadequate benefits that leave them underinsured and at financial risk should they have a serious accident or illness.

Now, one little fact that Americans should know is that 60 percent—think about 6 and 10—of all bankruptcy filings are directly related to medical debt. Think about that. Our broken health care system is driving Americans to bankruptcy and to poverty. As that happens, our industry doesn't seem to care much at all because they're getting theirs, which seems to be their only obsession.

Well, Mr. Speaker, I may return to this topic in a little while, but I want you to know and I want the American people to know that this is a problem that must be addressed. This is not a time for cynicism, Mr. Speaker; this is a time for action. This is not a time to say what can happen; this is a time to make something happen. This is not a time to quit; this is a time to act. If Americans act now, Mr. Speaker, we can get that public insurance option. We can get that public option.

You know, last week, when I was talking, we had only about 24 Senators signed onto a letter saying they were going to support the public option. The last I checked, we were up to 35. The question is: Is your Senator on the letter? We need every Senator on there. We've got to get 50 on there because, if we get 50 Senators on there, on a letter, to say they support the public option through reconciliation rules, then we will have that. Despite people saying that the public option is dead, it

will be jumping back to life just like the phoenix, and I will be so proud of Americans who just never accepted “no” for an answer, because it is these insurance companies that are doing this that are the main opponents of the public option.

Let me just say this: People who are for the public option, like me, and people who are against the public option, like them, have the same reason for the positions that we take. They oppose the public option, and I support it for the same reason. It's going to cut into corporate profits and give more people health care. That's why we don't agree. They want to take more from the American people. I want to give more to the American people, so we don't agree. This public option can succeed if we just don't stop. It passed through the House, and 70 percent of Americans support it. We've got a climbing number of Senators getting on every day.

I want to thank Senator SHERROD BROWN. You know, I think “President SHERROD BROWN” sounds pretty good. I'd like to see him think about that. We've got Senator KIRSTEN GILLIBRAND, another great American. We've got other Senators joining every day who are just saying, you know, We're going to break free of this stranglehold that has been around the U.S. Senate, and we're going to really do something good for the American people. So I just want to say hats off to them and say I appreciate the hard work that they're doing.

□ 1800

Mr. Speaker, I have another chart that I want to show to the people here, and this one is quite sobering, quite sobering. It is another big number, Mr. Speaker. It is the kind of number that really, really, really we almost don't want to mention it, but if you don't mention it, you dishonor the memory of the people that are hurt.

Mr. Speaker, this chart here, I want to bring it real close to me so it is in the camera shot, says 45,000—45,000—Americans die every year because they are uninsured.

Now, think about this number, and think about this number: 2.7 million Americans lose coverage. Because of no coverage, 45,000 Americans die every year. So people are literally dying because they don't have health care coverage. And not one, not two, not somebody here or there, but 45,000 people.

This is a national disgrace, Mr. Speaker. It must be changed. We have got to do something about it. It has to be something that is a national priority. We have got to extend coverage to people, and we have to do it in a way that is cost-effective and so that we can extend as much coverage as we possibly can to as many people as we possibly can.

This is the reality of the situation. We have to fight for this, and we have to understand that this fight for health care reform is a life-and-death fight,

Mr. Speaker. It is not just something that one side would prefer and the other side kind of would not prefer. That is just not what we are talking about. We are talking about a life-and-death situation, where unless we are able to move forward on real health care reform, Americans die.

Now, this number, 45,000, it looks like a big number. Here in Washington we throw big numbers around all the time, 2.7 billion, 45,000, all these numbers, and they jumble the mind. One of these 45,000 is a mother of someone. One of these 45,000 is a child of someone. One of these 45,000 is a young man in his prime of life whose family is dependent upon his income. One of these 45,000 is a small business owner. One of these 45,000 is someone who somebody loves.

This is a national emergency, Mr. Speaker, and I don't need to tell you, if we were talking about losing this many people a year in conflict or war, there is no doubt we would have a national debate and outrage over what we were going to do about it. It is not less important because it happens silently in hospital rooms and bedrooms and houses. It is just as important, and we have to do something about it.

Now, Mr. Speaker, I want to talk more about health care, but I just want to just lay out a few other impacts, since we laid that one out. Let me put it back up, because it is relevant to what I am about to say.

Not only do 45,000 Americans die every year because they are uninsured, but this year alone an estimated 1.5 million Americans will declare bankruptcy because of a lack of health care or because of health care expenses. Studies in recent years suggest that more than 60 percent of people who go bankrupt are actually capsized by medical bills.

Bankruptcies due to medical bills increased nearly 50 percent in a 6-year period, from 44 percent in 2001 to 62 percent in 2007. Sixty percent. We wish it was only 60 percent. It is probably 65 percent by now, Mr. Speaker, because this is a 2007 number.

Most of those who filed bankruptcy were middle-class, well-educated homeowners, according to a report published in August 2009 by the American Journal of Medicine. Unless you are Warren Buffett or Bill Gates, you are one illness away from financial ruin in this country. That is what the author of this report said, Dr. Stephanie Woolhandler. If an illness is long enough and expensive enough, private insurance offers very little protection against medical bankruptcy. That is the major finding of the study.

Overall, three-quarters of the people with medically related bankruptcy had health insurance. Let me tell you that again. As we know, this is the most generous, giving country. There are a lot of people who have the best of intentions. But as all Americans know, not everybody is like that.

There are some people who think, Well, I don't really care about those

people. I only care about myself and my family, and if those people don't have insurance, well, that is just their problem. There is probably something they did to deserve that. Shocking as it is, there are a lot of people who think like that. The fact is, this statistic of all these people going into bankruptcy because of medical debt is talking about folks who are middle class and who have jobs.

This is a shocking statistic. Three-quarters of the people with medically related bankruptcy had health insurance. They had health insurance, and they still went down. Why? Because of lifetime caps, because they got dropped, because of copays and escalating premiums, all these things going on. Those were actually the predominant problems in patients studied. Seventy-eight percent of them had health insurance, but many of them were bankrupted anyway because there were gaps in their coverage, like copayments, deductibles, and uncovered services.

Other people had private insurance but got so sick they had lost their job and lost their insurance. We will return to that in a moment.

Health care cost, as a percentage of gross domestic product, has significantly increased. From March 2008, the number has grown since then. I have a chart here which I will explain to you, which I don't actually have a blowup of, which illustrates that we pay more than any other country for health care, and the other countries cover the entire population.

So, for example, in the United States, in 1970, health care was 7 percent of gross domestic product. Today it is 15.3. In Canada, 1970, it was 7 percent of gross domestic product. Now it is 9.9, more than 5 percentage points lower than ours. In Germany, health care was 6.2 percent in 1970 and grew to 10.6, about 5 percent lower than us. In the U.K., in 1970, health care was about 4.5 in 1970, and now it is 8.1.

We have expanded this because it makes somebody a whole lot of dough. We have got to think about this, and we have got to do something about it.

From 2000 to 2008, workers' health insurance premiums shot up more than five times faster than their wages. The average cost of family coverage in the workplace went from \$6,672 in the year 2000 to \$12,000 in 2007. That is a 78 percent increase. So it has eaten up family income. At the same time, average wages rose only about 15 percent, which means that the cost of health care significantly outstripped American pay.

I just wanted to speak a little bit, Mr. Speaker, about the important financial choices that Americans are having to make, bankruptcy or not bankruptcy, get the coverage or not. What are you going to do? Now that you are out of work, what are you going to do? Difficult choices.

But I wanted to spend a few minutes, Mr. Speaker, talking about the important issue of the public option, because

I think that a lot of people are thinking, well, you know, now that the public option seems to be back in play, more Senators are supporting it, and it already passed through the House, the American people like it, the President said he was in favor of it, and people are thinking, well, maybe it will happen now.

Well, you know what? This is no time to quit the fight for the public option. In fact, it is time to accelerate your energy around the public option. It wouldn't be a bad thing if people had rallies and community forums and petitions for the public option.

The public option is a great choice. I am an advocate of universal single payer health care, but the public option is a good choice if we can't get that far.

Currently, in 34 States, 75 percent of the insurance market is controlled by five or fewer companies, Mr. Speaker. Many areas of the country are dominated by just one or two private organizations. What that means is Americans don't have much choice. We are dealing with highly concentrated markets, and the public option would give people in these highly concentrated markets more choice.

Competition. Again, in 34 States, 75 percent of the insurance market is controlled by five or fewer companies. In Alabama, almost 90 percent is controlled by only one company. Now, is that a monopoly or what? In addition, a public option would provide competition for private insurance companies to keep them honest.

So the public option offers choice and competition. It also lowers cost. That is the funny thing about it. You would think you would have a lot of Republican support, because it reduces costs. But we know that existing public options, like Medicare and Medicaid, consistently have lower administrative costs than their private insurance counterparts because they don't have competition. Why should they worry about lowering costs?

According to the Commonwealth Fund, the net administrative costs for Medicaid and Medicare were 5 percent and then 8 percent; 5 percent for Medicare, 8 percent for Medicaid. If you look at the top five health insurance companies, their administrative costs were over 17 percent. Triple. It is crazy.

With the insurance market controlled by fewer and fewer companies and more and more States, there is little incentive to lower costs. Also, as one former insurance executive testified before Congress, insurance companies are not only encouraged to find reasons to drop seriously ill people, they are rewarded for it. Bureaucratic overhead costs coupled with multimillion dollar CEO salaries and bonuses make high costs for American families and a lack of competition, and it provides no incentive to change their practices.

The public option, Mr. Speaker, would provide higher quality for Amer-

icans' health care. Competition always improves—well, it doesn't always, but it often improves quality, and therefore the public option will help consumers get a better coverage for the same amount of money as their private insurance.

There are some things, Mr. Speaker, people have been saying about the public option that are not true. One of those things is the idea of the public option being a government takeover or even a government-run program. Well, you know what? The fact is that the public option would be administered by the Department of Health and Human Services, but it would be with private doctors and providers out there, so it would still be people dealing with their own private doctor.

The idea that the mandated health insurance is a new tax is also false, is not true. What a public option really means is that the government would help to cover the high cost of insurance for Americans, while bringing those costs down through competition, access, and choice. Without health care insurance reform, however, we can expect the problems that exist today only to get worse.

So, Mr. Speaker, I want to now just talk about the fact that we have been hearing a lot about this idea of reconciliation. There might be some Americans out there saying reconciliation, what is that about? Is that about how my neighbor and me who have been feuding are finally going to try to get along? Not really in this situation, although it would be a good thing.

The fact is, Mr. Speaker, in this case, reconciliation is just some special budgetary rules that are passed through Congress that allow Congress to pass laws by getting around the filibuster rules that are in the Senate. That is what it is. There are reconciliation rules in the House and the Senate, but in the Senate they have these rules that you have to have 60 people to end debate so you can then vote on something. Reconciliation allows us to get around those rules, and so it is a good thing.

A simple up or down vote by more than half the House and Senate should be enough to send the President the final improvements to the health care reform measure that we have been talking about for a year. A simple majority vote would not be used to reform the health care system, just to clear limited improvements to the comprehensive health reform bill which has already passed the Senate and in a similar form in the House, but not exactly the same.

Reconciliation is part of the normal legislative process, Mr. Speaker. It has been used 22 times over the last 30 years, 16 times by a Republican-led Senate, and nearly two-thirds of the time Republican Presidents have signed the reconciliation bills. Not all the time. Democrats have used it, too.

Certain times the reconciliation was used, for example, to enact a health re-

form bill called COBRA. Everybody knows what COBRA is. COBRA is what allows you to maintain your health insurance after you lose your job. This is a law that lets employees just keep their employer's health insurance after they have left their job. This bill was passed through reconciliation in 1985 and passed into law under Ronald Reagan. In fact, the R in COBRA actually stands for "reconciliation." Isn't that something?

SCHIP, the bipartisan State Children's Health Insurance Program, passed through reconciliation in 1997. Medicare changes done through reconciliation include a hospice benefit, HMO preventative care, like cancer screenings, added protection also for patients in nursing homes, and the way Medicare pays doctors and health care professionals.

□ 1815

Also, the law requiring emergency rooms to screen Medicare and Medicaid patients, regardless of their ability to pay, was part of the 1985 reconciliation measure. So don't think that reconciliation is something new. There are people on the radio and television saying, Oh, my God, the Democrats are using reconciliation. Well, of course we are. It's a normal legislative tool used many times before and there's nothing unusual about it. Of course, reconciliation has been used for things that were not good for the American people as well. But this is not one of those occasions. This is an occasion where it's being used for something good.

Now, Mr. Speaker, I want to wrap up now. So if any of my Republican colleagues are thinking they want to get ready to get started, it would be a good idea to start thinking about that.

I just want to talk a little bit, as I begin to wrap up, about our economic situation. Because so much of the pain people are suffering through lack of health care and lack of health care reform is related to the fact that they're not working now. You lose your job; you lose your health care. I mentioned COBRA. Yeah, you can pay out of your own pocket COBRA if you lose your job, but you've still got to have some money to pay that.

So I just want to say that last Thursday, Mr. Speaker, the House unanimously passed the emergency legislation to extend a range of programs that expire this weekend. And some of these things were including unemployment benefits, help with health insurance for unemployed, a highway bill, satellite TV, delay in cut in Medicare physician payments, flood insurance, and things like that. Mr. Speaker, it just concerns me that we have had one Republican Senator who, up until a few days ago, was single-handedly blocking the passage of an emergency measure despite serious consequences for families.

Last week, Mr. Speaker, I actually went to my own district and asked people to raise their voices about the action that Senator BUNNING was taking

because it was inflicting a lot of pain around the country. According to the Department of Labor, the expiration of unemployment benefits caused 100,000 people to lose their benefits immediately, and about 400,000 people will lose unemployment benefits, including 4,300 people in Kentucky, and the next few weeks, if Senator BUNNING does not drop his opposition.

An estimated half a million jobless Americans will lose access to COBRA subsidies to them to help them buy health care insurance. Letting the highway and transit programs lapse would temporarily shut down a total of \$925 million worth of projects this week in highway reimbursements and transit grants to States and urban areas, endangering more than 32,000 jobs, national anti-drunk driver efforts, and multimillion dollar construction jobs. With the Bunning obstruction, 41 highway projects have been forced to shut down.

Now, history knows that he came to an accommodation—and that's good. But the fact that the Senator held it up, to me is an example of how important it is to really, really understand who is not working for the American people and who is. Democrats are here trying to extend unemployment, extend COBRA, help Americans make it through tough times; and other people are obstructing and holding things up. I think it's important for the American people to know that because the American people deserve to know who's fighting for their economic livelihood and who's not.

The fact is, Senator BUNNING actually said, It could be argued unemployment insurance is a disincentive for work because people are being paid even though they're not working. It could be argued that unemployment insurance is a disincentive for work because people are being paid even though they're not working. That's pretty sad. The fact is that is Senator JIM BUNNING, Republican, Kentucky. I just want people to keep it in mind, what they're dealing with and what they're up against and who they're up against.

So the Senate ended up passing the bill; voted 78–19 Tuesday night to pass legislation extending unemployment benefits, highway funding, and other programs for 1 month, bringing an end to the one-man crusade to filibuster the bill. The fact is, the filibuster resulted in thousands of Federal workers

being furloughed and an interruption in unemployment benefits. It happened. People were hurt. People were without money because of this. And that was incredibly unfortunate. But I think Americans in this great democracy of ours can express yourselves through the ballot box, and you should let people know that. And I think people should know what happened and how it happened and who did it.

So I also just want to mention, Mr. Speaker, that over 200,000 jobless workers were scheduled to lose unemployment benefits last week; and it didn't happen because we narrowly avoided it, but it certainly could have happened. And there was a break; there was a lapse. Federal employees were furloughed. I just want to keep that in mind and have people remember that.

So, Mr. Speaker, as I begin to wind down, I just want to say that there is a group of Members of Congress who have a progressive vision for America. The progressive vision for America is an America where the government actually takes responsibility for making sure the economy works for everybody; the progressive vision for America is where we have civil rights and human rights for women, people of color, working people, people who live in rural areas; where the country literally works for everyone and not just a few; where we really believe that all men are created equal and created with certain inalienable rights; where we really want to see our country reach its highest potential by offering educational opportunity, by saying that the military budget has expanded way out of control, that we need to put more energy into diplomacy and development around the world; a progressive vision in which we say that America should use its awesome blessings and strength to help confer those blessings for other people and people within.

With that, I yield back.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. TIAHRT (at the request of Mr. BOEHNER) for today after noon on account of attending a funeral.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. SCHWARTZ) to revise and extend their remarks and include extraneous material:)

Ms. SCHWARTZ, for 5 minutes, today.

Ms. BERKLEY, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. AL GREEN of Texas, for 5 minutes, today.

Ms. TITUS, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

(The following Members (at the request of Mr. POE of Texas) to revise and extend their remarks and include extraneous material:)

Mr. POE of Texas, for 5 minutes, March 11.

Mr. JONES, for 5 minutes, March 11.

Mr. MORAN of Kansas, for 5 minutes, March 11.

Mr. GINGREY of Georgia, for 5 minutes, today.

Mr. MCCOTTER, for 5 minutes, today.

ADJOURNMENT

Mr. ELLISON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 21 minutes p.m.), the House adjourned until tomorrow, Friday, March 5, 2010, at 9 a.m.

BUDGETARY EFFECTS OF PAYGO LEGISLATION

Pursuant to Public Law 111–139, Mr. SPRATT, on behalf of and after consultation with Senator CONRAD, hereby submits, prior to the vote on passage, the attached estimate of the costs of H.R. 2847, the Hiring Incentives to Restore Employment Act, for printing in the CONGRESSIONAL RECORD.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC, March 4, 2010.

JOINT ESTIMATE OF BUDGETARY EFFECTS OF PAYGO LEGISLATION

MADAM SPEAKER, Pursuant to Public Law 111–139, and on behalf of and after consultation with the Chairman of the Senate Budget Committee and myself, I hereby submit, prior to the vote on passage, the attached estimate of the costs of the House amendment to the Senate amendment to the bill H.R. 2847, the Hiring Incentives to Restore Employment Act, for printing in the CONGRESSIONAL RECORD.

JOHN M. SPRATT.

CBO ESTIMATE OF THE STATUTORY PAY-AS-YOU-GO EFFECTS FOR AN AMENDMENT TO THE SENATE AMENDMENT TO THE HOUSE AMENDMENT TO THE SENATE AMENDMENT TO H.R. 2847

By fiscal year, in millions of dollars—													
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2010–2015	2010–2020
Statutory Pay-As-You-Go Impact	4,521	6,247	2,328	382	–13,629	58	12,673	–820	–2,715	–9,168	–532	–95	–657

Note: Components may not sum to totals because of rounding.

Sources: Congressional Budget Office and Joint Committee on Taxation.

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

6392. A letter from the Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule—Electronic Filing of Financial Reports and Notices (RIN: 3038-AB87) received January 26, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6393. A letter from the Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule—Revised Adjusted Net Capital Requirements for Futures Commission Merchants and Introducing Brokers (RIN: 3038-AC66) received January 26, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6394. A letter from the Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule—Commodity Pool Operator Periodic Account Statements and Annual Financial Reports (RIN: 3038-AC38) received January 26, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6395. A letter from the Director, Regulatory Review Group, Department of Agriculture, transmitting the Department's final rule—Payment Eligibility and Payment Limitation; Miscellaneous Technical Corrections (RIN: 0560-AH85) received January 26, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6396. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule—Suspension of Community Eligibility [Docket ID: FEMA-2008-0020; Internal Agency Docket No. FEMA-8113] received February 23, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6397. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Refinement of Income and Rent Determination Requirements in Public and Assisted Housing Programs: Implementation of the Enterprise Income Verification System; Withdrawal of Rescinded Regulatory Amendments [Docket No.: FR-5351-F-03] (RIN: 2501-AD48) received February 23, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6398. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule—Reporting of Fraudulent Financial Instruments (RIN: 2590-AA11) received January 26, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6399. A letter from the Chief, PRAB, Office of Research and Analysis, Department of Agriculture, transmitting the Department's final rule—Special Supplemental Nutrition Program for Women, Infants and Children (WIC): Vendor Cost Containment; Approval of Information Collection Request [FNS-2009-0001] (RIN: 0585-AD71) received February 23, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

6400. A letter from the Chief, PRAB, Office of Research and Analysis, Department of Agriculture, transmitting the Department's final rule—Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) Revisions in the WIC Food Packages Rule To Increase Cash Value Vouchers for Women [FNS-2006-0037] (RIN: 0584-AD77) received February 23, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

6401. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Department of Justice, transmitting the Department's final rule—Classification of Three Steroids as Schedule III Anabolic Steroids Under the Controlled Substances Act [Docket No.: DEA-285F] (RIN: 1117-AB17) received February 23, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6402. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule—Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2008-0918; FRL-8438-4] (RIN: 2070-AB27) received January 27, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6403. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule—Primary National Ambient Air Quality Standards for Nitrogen Dioxide [EPA-HQ-OAR-2006-0922; FRL 9107-9] received January 27, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6404. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Montana; Revisions to the Administrative Rules of Montana [EPA-R08-OAR-2009-0198; FRL-9102-7] received January 27, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6405. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule—Final Clarification for Chemical Identification Describing Activated Phosphors For TSCA Inventory Purposes [EPA-HQ-OPPT-2007-0392; FRL-8798-9] (RIN: 2070-AJ21) received February 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6406. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-319, "Clean and Affordable Energy Fiscal Year 2010 Fund Balance Temporary Act of 2010"; to the Committee on Oversight and Government Reform.

6407. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-320, "Health Care Facilities Improvement Amendment Act of 2010"; to the Committee on Oversight and Government Reform.

6408. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Non-American Fisheries Act Crab Vessels Catching Pacific Cod for Processing by the Inshore Component in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 0910091344-9056-02] (RIN: 0648-XT96) received February 23, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6409. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Participating in the Amendment 80 Limited Access Fishery in Bering Sea and Aleutian Islands Management Area [Docket No. 0810141351-9087-02] (RIN: 0648-XT95) received February 23, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6410. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, Na-

tional Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Western Pacific Crustacean Fisheries; 2010 Northwestern Hawaiian Islands Lobster Harvest Guideline (RIN: 0648-XT33) received February 23, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6411. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Chiniak Gully Research Area for Vessels Using Trawl Gear [Docket No.: 0910091344-9056-02] (RIN: 0648-XT71) received February 23, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6412. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer [Docket No.: 0809251266-81485-02] (RIN: 0648-XT61) received February 23, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6413. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Closure [Docket No.: 001005281-0369-02] (RIN: 0648-XU01) received February 23, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6414. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Steller Sea Lions; Correction [Docket No.: 0912011420-91423-01] (RIN: 0648-AY39) received February 23, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6415. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Economic Exclusive Zone Off Alaska; Pacific Cod in the Bering Sea and Aleutian Islands [Docket No.: 0810141351-9087-02] (RIN: 0648-XT42) received February 23, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6416. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Department's final rule—Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; Closure of the Limited Access General Category Scallop Fishery to Individual Fishing Quota Scallop Vessels [Docket No.: 070817467-8554-02] (RIN: 0648-XT87) received February 23, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6417. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries in the Western Pacific; Pelagic Fisheries; Vessel Identification Requirements [Docket No.: 090218199-91223-02] (RIN: 0648-AX38) received February 23, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6418. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final

rule—Fisheries of the Exclusive Economic zone Off Alaska; Atka Mackerel Lottery in Areas 542 and 543 [Docket No.: 0810141351-9087-02] (RIN: 0648-XT86) received February 23, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6419. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—International Fisheries; Western and Central Pacific Fisheries for Highly Migratory Species; Initial Implementation of the Western and Central Pacific Fisheries Convention [Docket No.: 070717350-9936-02] (RIN: 0648-AV63) received February 23, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6420. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Specifications and Management Measures [Docket No.: 0907301206-0032-02] (RIN: 0648-AY13) received February 23, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6421. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—International Fisheries Regulations; Fisheries in the Western Pacific; Pelagic Fisheries; Hawaii-based Shallow-set Longline Fishery; Correction [Docket No.: 080225267-91393-03] (RIN: 0648-AW49) received January 26, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6422. A letter from the Acting Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Highly Migratory Species; Renewal of Atlantic Tunas Longline Limited Access Permits; Atlantic Shark Dealer Workshop Attendance Requirements [Docket No.: 080130104-8560-02] (RIN: 0648-AW46) received January 27, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6423. A letter from the Deputy Assistant Administrator, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Highly Migratory Species; Atlantic Swordfish Quotas [I.D.: 020607C] (RIN: 0648-AV10) received January 26, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6424. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States [Docket No.: 0907241164-91415-02] (RIN: 0648-AY09) received January 27, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6425. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Annual Specifications [Docket No.: 0909111273-91431-02] (RIN: 0648-XR09) received January 27, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6426. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; San Diego Parade of Lights Fireworks; San

Diego Bay, CA [Docket No.: USCG-2009-0484] (RIN: 1625-AA00) received January 27, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6427. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulations; Harlem River, New York, NY [USCG-2008-0456] (RIN: 1625-AA09) received January 27, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6428. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; Atlantic Intracoastal Waterway, Oak Island, NC [Docket No.: USCG-2009-1067] (RIN: 1625-AA00) received January 27, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6429. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule—Special Local Regulation for Marine Events; Recurring Marine Events in the Fifth Coast Guard District [Docket No.: USCG-2009-0430] (RIN: 1625-AA08) received January 27, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6430. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule—Safety Zone and Regulated Navigation Area, Chicago Sanitary and Ship Canal, Romeoville, IL [Docket No.: USCG-2009-1080] (RIN: 1625-AA11, 1625-AA00) received January 27, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6431. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule—Safety and Security Zone, Chicago Sanitary and Ship Canal, Romeoville, IL [Docket No.: USCG-2009-1052] (RIN: 1625-AA00) (RIN: 1625-AA87) received January 27, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6432. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule—Correction to Composite Loss Discount Factor for Nonproportional Assumed Property Reinsurance in Revenue Procedure 2009-55, 2009-52 I.R.B. 982 received February 23, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6433. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Department's final rule—Qualified Zone Academy Bond Allocations for 2010 [Notice 2010-22] received February 23, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6434. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule—Determination of Issue Price in the Case Certain Debt Instruments Issued for Property (Rev. Rul. 2010-8) received February 23, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6435. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule—Rules for Certain Reserves (Rev. Rul. 2010-07) received February 23, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Ms. MATSUI: Committee on Rules. House Resolution 1137. Resolution providing for consideration of the Senate amendment to the bill (H.R. 2847) making appropriations for the Department of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes (Rept. 111-426). Referred to the House Calendar.

Mr. CONYERS: Committee on the Judiciary. House Resolution 1031. Resolution impeaching G. Thomas Porteous, Jr., judge of the United States District Court for the Eastern District of Louisiana, for high crimes and misdemeanors (rept. 111-427). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. RAHALL (for himself, Mr. MOLLOHAN, and Mr. BOUCHER):

H.R. 4753. A bill to suspend, during the 2-year period beginning on the date of enactment of this Act, any Environmental Protection Agency action under the Clean Air Act with respect to carbon dioxide or methane pursuant to certain proceedings, other than with respect to motor vehicle emissions, and for other purposes; to the Committee on Energy and Commerce.

By Mr. REHBERG:

H.R. 4754. A bill to prohibit the further extension or establishment of national monuments in Montana except by express authorization of Congress; to the Committee on Natural Resources.

By Mr. EHLERS (for himself, Mr. DINGELL, Mr. KIRK, and Ms. SLAUGHTER):

H.R. 4755. A bill to amend the Federal Water Pollution Control Act to protect and restore the Great Lakes; to the Committee on Transportation and Infrastructure.

By Mr. CUMMINGS (for himself, Mr. BURTON of Indiana, Mr. MEEKS of New York, Mr. FRANK of Massachusetts, Mr. SENSENBRENNER, Mrs. CHRISTENSEN, Mr. MCGOVERN, Mr. DOYLE, Mr. EDWARDS of Texas, Mrs. DAVIS of California, Mr. MASSA, Mr. MARSHALL, Mr. GRIJALVA, and Mr. DEFAZIO):

H.R. 4756. A bill to provide for prostate cancer imaging research and education; to the Committee on Energy and Commerce.

By Ms. SCHAKOWSKY (for herself, Ms. BALDWIN, Mrs. CAPPS, Mr. CONYERS, Ms. DELAUNO, Mr. FILNER, Mr. FRANK of Massachusetts, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Ms. HARMAN, Mr. HARE, Ms. LEE of California, Ms. MOORE of Wisconsin, Ms. SUTTON, Mr. WEINER, Ms. WATSON, Ms. WOOLSEY, and Mr. MARKEY of Massachusetts):

H.R. 4757. A bill to provide for the establishment of a Health Insurance Rate Authority to establish limits on premium rating, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SMITH of Texas (for himself, Mr. BILIRAKIS, Mr. GALLEGLY, Mr. DANIEL E. LUNGREN of California, Mr. KING of Iowa, and Mr. HARPER):

H.R. 4758. A bill to authorize the Secretary of Homeland Security and the Secretary of State to refuse or revoke visas to aliens if in the security or foreign policy interests of the United States, to require the Secretary of Homeland Security to review visa applications before adjudication, and to provide for

the immediate dissemination of visa revocation information; to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TAYLOR (for himself, Mr. JONES, Mr. DEFazio, Mr. STUPAK, Mr. ARCURI, Mr. BACA, Mr. BARTLETT, Mr. BRALEY of Iowa, Mr. CAPUANO, Mr. COSTELLO, Mr. FILNER, Mr. GRIJALVA, Mr. HARE, Mr. HINCHAY, Mr. KAGEN, Ms. KAPTUR, Mr. KILDEE, Mr. KISSELL, Mr. KUCINICH, Mr. MASSA, Mr. MCINTYRE, Mr. MICHAUD, Mr. PAUL, Mr. SCHAUER, Mr. VISCLOSKEY, Mr. WILSON of Ohio, Ms. WOOLSEY, and Mr. STARK):

H.R. 4759. A bill to provide for the withdrawal of the United States from the North American Free Trade Agreement; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:

H.R. 4760. A bill to amend the Internal Revenue Code of 1986 to require individuals to provide their Social Security number in order to claim the first-time homebuyer tax credit; to the Committee on Ways and Means.

By Mr. ARCURI (for himself, Mr. MAFFEI, Mr. ELLSWORTH, and Mr. DONNELLY of Indiana):

H.R. 4761. A bill to reduce the pay of Members of Congress and eliminate automatic adjustments to such pay, to establish a limit on the aggregate amount which may be appropriated for the Members' Representational Allowances of Members of the House of Representatives, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BURTON of Indiana:

H.R. 4762. A bill to reduce the pay of Members of Congress and dedicate the annual savings to a reduction of the national debt; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARDOZA:

H.R. 4763. A bill to suspend temporarily the duty on certain rechargeable ultracapacitor long life flashlights; to the Committee on Ways and Means.

By Mr. CARTER (for himself, Ms. TITUS, Mr. LOBIONDO, Ms. JACKSON LEE of Texas, Mr. BRADY of Pennsylvania, Mr. SMITH of Texas, Mrs. CHRISTENSEN, Mr. SAM JOHNSON of Texas, Mrs. MCMORRIS RODGERS, Mr. ROGERS of Michigan, Mr. BISHOP of Georgia, Mr. MICA, Mr. OLSON, Mr. BONNER, Mr. LINCOLN DIAZ-BALART of Florida, Mr. BLUNT, Mr. NEUGEBAUER, and Mr. MCCOTTER):

H.R. 4764. A bill to amend the Internal Revenue Code of 1986 to make employers of spouses of military personnel eligible for the work opportunity credit; to the Committee on Ways and Means.

By Mr. DEFazio (for himself, Mr. FILNER, Ms. HERSETH SANDLIN, Mr. WALDEN, Mr. BLUMENAUER, Mr. SCHRADER, Mr. WU, Mr. HALL of New York, Mr. CARNEY, Mr. COURTNEY, Ms. BORDALLO, and Mr. PERRIELLO):

H.R. 4765. A bill to amend title 38, United States Code, to authorize individuals who

are pursuing programs of rehabilitation, education, or training under laws administered by the Secretary of Veterans Affairs to receive work-study allowances for certain outreach services provided through congressional offices, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ELLISON (for himself, Ms. WATERS, Mrs. MALONEY, and Mr. CAPUANO):

H.R. 4766. A bill to permanently extend the Protecting Tenants at Foreclosure Act of 2009; to the Committee on Financial Services.

By Mr. FORTENBERRY (for himself and Mr. SHULER):

H.R. 4767. A bill to amend the Consumer Product Safety Improvement Act to exempt ordinary books and paper-based printed material from the lead limit in such Act; to the Committee on Energy and Commerce.

By Mr. GRAYSON:

H.R. 4768. A bill to prevent funding provided through the Federal Reserve System from being made available to corporations that finance political campaigns or political propaganda, and for other purposes; to the Committee on Financial Services.

By Mr. HOLT (for himself, Ms. LINDA T. SANCHEZ of California, and Mr. HINCHAY):

H.R. 4769. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for equity investments in high technology small business concerns; to the Committee on Ways and Means.

By Mr. HOLT (for himself, Mr. KIND, Ms. SCHWARTZ, and Mr. FILNER):

H.R. 4770. A bill to amend the Internal Revenue Code of 1986 to increase the credit for research expenses for 2010 and 2011 and to allow the credit to be assigned; to the Committee on Ways and Means.

By Mr. JACKSON of Illinois:

H.R. 4771. A bill to establish a commission to commemorate the sesquicentennial of the American Civil War; to the Committee on Oversight and Government Reform.

By Ms. KILROY (for herself, Mr. WILSON of Ohio, and Ms. FUDGE):

H.R. 4772. A bill to amend the Internal Revenue Code of 1986 to extend the nonbusiness energy property credit to include insulated siding; to the Committee on Ways and Means.

By Mr. KINGSTON:

H.R. 4773. A bill to authorize the Secretary of the Interior to lease certain lands within Fort Pulaski National Monument, and for other purposes; to the Committee on Natural Resources.

By Ms. NORTON:

H.R. 4774. A bill to revise the composition of the Board of Regents of the Smithsonian Institution so that all members are individuals appointed by the President from a list of nominees submitted by the leadership of the Congress, and for other purposes; to the Committee on House Administration.

By Ms. NORTON:

H.R. 4775. A bill to provide for the application of sections 552, 552a, and 552b of title 5, United States Code (commonly referred to as the Freedom of Information Act and the Privacy Act), and the Federal Advisory Committee Act (5 U.S.C. App.) to the Smithsonian Institution, and for other purposes; to the Committee on House Administration.

By Ms. NORTON:

H.R. 4776. A bill to prohibit the Secretary of the Smithsonian Institution from charging a fee for admission to any exhibit which is part of the permanent collection of any museum or facility which is part of any bureau established in or under the Smithsonian Institution, and for other purposes; to the Committee on House Administration.

By Mr. OWENS:

H.R. 4777. A bill to amend the Internal Revenue Code of 1986 to provide an exemption for

employer payroll taxes during 2010 for wages with respect to the employment of new hires and to provide a credit for retaining employees; to the Committee on Ways and Means.

By Mr. POMEROY:

H.R. 4778. A bill to extend the National Flood Insurance Program to December 31, 2010; to the Committee on Financial Services.

By Mr. POMEROY (for himself and Mr. MORAN of Kansas):

H.R. 4779. A bill to amend the Internal Revenue Code of 1986 to encourage the creation and growth of small business and reduce the cost of complying with the tax requirements; to the Committee on Ways and Means.

By Mr. ROONEY (for himself, Mr. MCKEON, Mr. SHUSTER, Mr. WILSON of South Carolina, Mr. WITTMAN, Mr. CHAFFETZ, Mr. POSEY, Mr. GINGREY of Georgia, Mr. BURTON of Indiana, Mr. MARCHANT, Mr. MANZULLO, Mr. LATTI, Mrs. BLACKBURN, Mr. AKIN, Mr. PITTS, Mr. BRADY of Texas, and Mr. GOHMERT):

H.R. 4780. A bill to require the head of an element of the intelligence community to provide to the Secretary of Defense any intelligence information obtained by such element that indicates the involvement of personnel of the Department of Defense with a terrorist organization, and for other purposes; to the Committee on Intelligence (Permanent Select), and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TIAHRT:

H.R. 4781. A bill to amend the Internal Revenue Code of 1986 to reduce the maximum corporate rate of tax to 22 percent; to the Committee on Ways and Means.

By Mr. YOUNG of Alaska (for himself and Ms. BERKLEY):

H.R. 4782. A bill to direct the Secretary of the Interior to provide loans to certain organizations in certain States to address habitats and ecosystems and to address and prevent invasive species; to the Committee on Natural Resources.

By Mrs. HALVORSON (for herself, Ms. CORRINE BROWN of Florida, Ms. NORTON, Mr. GENE GREEN of Texas, Mr. MOORE of Kansas, Mr. HINCHAY, Mr. COURTNEY, Mr. MURPHY of Connecticut, Mr. GRIJALVA, and Mr. WALZ):

H.J. Res. 240. A joint resolution recognizing and honoring the Blinded Veterans Association on its 65th anniversary of representing blinded veterans and their families; to the Committee on Veterans' Affairs.

By Mr. HOYER (for himself, Mr. VAN HOLLEN, Mr. WOLF, Mr. CONNOLLY of Virginia, Mr. MORAN of Virginia, Ms. EDWARDS of Maryland, and Ms. NORTON):

H. Con. Res. 247. Concurrent resolution authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby; to the Committee on Transportation and Infrastructure.

By Mr. KUCINICH (for himself, Mr. CONYERS, Mr. FILNER, Mr. JONES, Ms. WOOLSEY, Mr. CAPUANO, Mr. JOHNSON of Illinois, Mr. PAUL, Ms. BALDWIN, Mr. GRIJALVA, Mr. MASSA, Mr. GRAYSON, Ms. LEE of California, Ms. PIN- GREE of Maine, Mr. DAVIS of Illinois, Ms. CLARKE, Mr. SERRANO, and Mr. MICHAUD):

H. Con. Res. 248. Concurrent resolution directing the President, pursuant to section 5(c) of the War Powers Resolution, to remove the United States Armed Forces from Afghanistan; to the Committee on Foreign Affairs.

By Mr. LEWIS of Georgia (for himself and Mr. CONYERS):

H. Con. Res. 249. Concurrent resolution commemorating the 45th anniversary of Bloody Sunday and the role that it played in ensuring the passage of the Voting Rights Act of 1965; to the Committee on the Judiciary.

By Mr. COHEN (for himself, Mr. GRIJALVA, Mrs. CAPPS, Ms. MOORE of Wisconsin, and Ms. SUTTON):

H. Res. 1138. A resolution expressing support for the designation of the first week of April 2010 as National Asbestos Awareness Week; to the Committee on Energy and Commerce.

By Mr. ISSA:

H. Res. 1139. A resolution honoring the life and accomplishments of Clare Boothe Luce and recognizing her leadership in the women's suffrage movement and the influence she continues to have today; to the Committee on House Administration.

By Mr. ENGEL (for himself, Mr. POE of Texas, Mr. GENE GREEN of Texas, Mr. PAYNE, Ms. LEE of California, Ms. BALDWIN, Mr. DOYLE, Ms. MATSUI, Mr. NADLER of New York, Mrs. MALONEY, Ms. SCHAKOWSKY, Mr. SMITH of Washington, and Mr. CROWLEY):

H. Res. 1140. A resolution commending the progress made by anti-tuberculosis programs; to the Committee on Foreign Affairs, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. GIFFORDS (for herself, Mr. GRIJALVA, Mrs. KIRKPATRICK of Arizona, Mr. MITCHELL, Mr. PASTOR of Arizona, and Mr. SHADEGG):

H. Res. 1141. A resolution honoring the accomplishments of Supreme Court Justice Sandra Day O'Connor, the first woman to serve on the United States Supreme Court; to the Committee on the Judiciary.

By Mr. PETRI:

H. Res. 1142. A resolution congratulating Silver Lake College for 75 years of service as an undergraduate institution of higher education; to the Committee on Education and Labor.

By Mr. QUIGLEY (for himself, Mr. SHIMKUS, Mr. FALCOMA, Mr. CARNAHAN, Mr. CROWLEY, Mr. LIPINSKI, Mr. MURPHY of Connecticut, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MORAN of Virginia, Mr. HONDA, Mr. WALZ, Ms. NORTON, Mr. SCHOCK, Mr. BLUNT, and Mr. CONAWAY):

H. Res. 1143. A resolution commending the Community of Democracies for its achievements since it was founded in 2000; to the Committee on Foreign Affairs.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 197: Mrs. McMORRIS RODGERS.
H.R. 413: Mr. KIRK and Mr. GRIFFITH.
H.R. 442: Mr. BROWN of Georgia and Mrs. SCHMIDT.
H.R. 450: Mr. BOEHNER.
H.R. 571: Mr. PERRIELLO.
H.R. 653: Mr. GRIJALVA.
H.R. 734: Mr. WOLF, Mr. MCNERNEY, Ms. KILROY, and Mrs. SCHMIDT.
H.R. 782: Mr. PAULSEN.
H.R. 872: Mr. MCCOTTER.
H.R. 886: Mr. PASCRELL and Mr. GENE GREEN of Texas.

H.R. 930: Ms. SHEA-PORTER.
H.R. 1023: Mr. BARRETT of South Carolina and Mr. BONNER.
H.R. 1074: Mrs. SCHMIDT.
H.R. 1079: Mr. CARNEY and Mr. CARSON of Indiana.
H.R. 1103: Mr. PIERLUISI.
H.R. 1126: Ms. SHEA-PORTER and Mr. BRADY of Pennsylvania.
H.R. 1132: Mr. HOLT, Ms. RICHARDSON, Mr. BARROW, and Mr. PASCRELL.
H.R. 1138: Mr. ROSS.
H.R. 1169: Mr. BOUCHER and Mr. ROSS.
H.R. 1205: Ms. HERSETH SANDLIN, Mr. MURPHY of New York, Mr. RUSH, Mr. BONNER, Mr. WITTMAN, Mr. OLVER, Mr. CASSIDY, Mr. TIBERI, Mr. VISCLOSKEY, and Mr. MARIO DIAZ-BALART of Florida.
H.R. 1210: Mr. SCOTT of Virginia and Mr. CHANDLER.
H.R. 1250: Mr. FORTENBERRY and Mr. LEE of New York.
H.R. 1283: Mr. MOORE of Kansas.
H.R. 1351: Mr. KINGSTON and Ms. TITUS.
H.R. 1362: Ms. KOSMAS, Mr. SCOTT of Virginia, and Mr. MILLER of Florida.
H.R. 1521: Mr. MCNERNEY, Mr. CAMP, and Mr. HERGER.
H.R. 1625: Mr. HODES.
H.R. 1643: Mr. GENE GREEN of Texas.
H.R. 1799: Mr. LAMBORN.
H.R. 1806: Mr. YARMUTH, Mr. KISSELL, and Ms. TITUS.
H.R. 1879: Mr. HARPER.
H.R. 1943: Mr. BISHOP of New York.
H.R. 1956: Mr. CLAY and Mrs. KIRKPATRICK of Arizona.
H.R. 1995: Mr. SCOTT of Virginia.
H.R. 2000: Mr. HARE and Mr. NYE.
H.R. 2056: Mr. WELCH.
H.R. 2084: Mr. UPTON.
H.R. 2251: Mr. MILLER of Florida.
H.R. 2273: Mr. RYAN of Ohio.
H.R. 2287: Mr. CHAFFETZ.
H.R. 2296: Mr. GERLACH.
H.R. 2350: Mrs. MALONEY.
H.R. 2373: Mr. JONES.
H.R. 2377: Mr. ROSKAM.
H.R. 2378: Mr. DAVIS of Tennessee.
H.R. 2421: Mrs. CAPPS, Mr. CASSIDY, Mr. FRANK of Massachusetts, Ms. HARMAN, Mr. MOORE of Kansas, and Ms. MOORE of Wisconsin.
H.R. 2425: Mr. EHLERS and Mr. LINCOLN DIAZ-BALART of Florida.
H.R. 2584: Mr. DUNCAN.
H.R. 2697: Mrs. HALVORSON and Mr. ROGERS of Alabama.
H.R. 2746: Mr. TOWNS, Ms. CORRINE BROWN of Florida, and Mr. QUIGLEY.
H.R. 2849: Mr. OLVER, Mr. DELAHUNT, Mr. BACA, Mr. FRANK of Massachusetts, and Mr. TIERNEY.
H.R. 2932: Ms. ESHOO.
H.R. 3125: Mrs. BONO MACK and Mr. BURGESS.
H.R. 3225: Mr. RYAN of Ohio.
H.R. 3407: Ms. CORRINE BROWN of Florida, Mr. MICA, and Mr. BOUCHER.
H.R. 3415: Mr. GALLEGLY, Mr. COSTA, and Mr. BERRY.
H.R. 3421: Ms. WATERS.
H.R. 3464: Mr. BOOZMAN.
H.R. 3506: Mr. LANCE.
H.R. 3526: Mr. COHEN.
H.R. 3554: Mr. PRICE of North Carolina.
H.R. 3577: Mr. REYES.
H.R. 3578: Mr. KLEIN of Florida.
H.R. 3615: Mr. SKELTON.
H.R. 3652: Ms. BALDWIN, Mr. TAYLOR, and Mr. BARTLETT.
H.R. 3668: Mr. ROSS, Mr. SULLIVAN, Ms. FALLIN, and Ms. LINDA T. SANCHEZ of California.
H.R. 3672: Mr. ORTIZ.
H.R. 3715: Ms. ROYBAL-ALLARD.
H.R. 3742: Mr. SIMPSON and Mrs. MALONEY.
H.R. 3787: Mr. MCGOVERN.

H.R. 3790: Mr. BARTLETT, Mr. CONNOLLY of Virginia, Mr. GRAVES, Mr. BOSWELL, Mr. SCOTT of Georgia, and Mr. MCCOTTER.
H.R. 3839: Mr. JONES.
H.R. 3856: Mr. HODES.
H.R. 3927: Mr. CAO.
H.R. 3936: Mr. MASSA and Mr. CLAY.
H.R. 3943: Mr. PRICE of North Carolina.
H.R. 3948: Ms. JACKSON LEE of Texas.
H.R. 3982: Mr. SESTAK.
H.R. 4036: Mr. COHEN.
H.R. 4054: Mr. MICHAUD, Mr. ROSS, and Mr. BOUCHER.
H.R. 4100: Ms. GINNY BROWN-WAITE of Florida.
H.R. 4112: Mr. EHLERS.
H.R. 4115: Ms. WASSERMAN SCHULTZ, Mrs. CHRISTENSEN, and Mr. DOGGETT.
H.R. 4116: Mrs. McMORRIS RODGERS and Ms. HARMAN.
H.R. 4128: Mr. PRICE of North Carolina.
H.R. 4149: Mr. CARNEY and Ms. BERKLEY.
H.R. 4189: Mr. MCHENRY, Ms. GRANGER, Mr. POSEY, Mr. BISHOP of Utah, and Mr. BRADY of Texas.
H.R. 4202: Mr. CLEAVER.
H.R. 4241: Mrs. BLACKBURN and Mr. TEAGUE.
H.R. 4256: Mr. CROWLEY.
H.R. 4261: Mrs. MYRICK.
H.R. 4296: Mr. MAFFEI.
H.R. 4310: Mr. GUTIERREZ, Mr. DEFazio, Mr. FILNER, Ms. KAPTUR, Mr. GRAYSON, Mr. ELLISON, Mr. JACKSON of Illinois, Ms. WOOLSEY, Mr. KAGEN, and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 4329: Mr. LAMBORN.
H.R. 4330: Mr. GUTHRIE.
H.R. 4333: Ms. WATSON, Mr. ELLISON, Mr. JOHNSON of Georgia, Mr. PASTOR of Arizona, Mr. SCHIFF, Ms. WOOLSEY, Ms. ROYBAL-ALLARD, Mr. THOMPSON of California, Ms. ZOE LOFGREN of California, Mr. HONDA, Ms. LORETTA SANCHEZ of California, Mr. BACA, Ms. SPEIER, Mr. NEAL of Massachusetts, Mr. PASCRELL, Mrs. MCCARTHY of New York, Mr. WU, Mr. GRAYSON, Mrs. NAPOLITANO, Mr. BOCCIERI, and Mrs. SCHMIDT.
H.R. 4393: Mr. BILBRAY.
H.R. 4396: Mr. ROSS and Mr. BOOZMAN.
H.R. 4399: Mr. PRICE of North Carolina.
H.R. 4402: Ms. SCHAKOWSKY, Ms. TITUS, Ms. CLARKE, and Ms. CORRINE BROWN of Florida.
H.R. 4404: Mr. HONDA and Mr. CAO.
H.R. 4405: Mr. MASSA and Ms. DELAURO.
H.R. 4411: Mr. DAVIS of Illinois.
H.R. 4486: Mr. ARCURI.
H.R. 4509: Mr. MCINTYRE.
H.R. 4530: Ms. ESHOO.
H.R. 4533: Mr. PIERLUISI, Mr. RYAN of Ohio, and Mr. STARK.
H.R. 4539: Mr. HIMES.
H.R. 4540: Mr. GRAYSON and Mr. HIMES.
H.R. 4552: Mr. OBERSTAR, Ms. SCHAKOWSKY, and Mr. DINGELL.
H.R. 4553: Mr. FILNER.
H.R. 4555: Mr. LATOURETTE, Mr. RAHALL, and Mr. WITTMAN.
H.R. 4564: Ms. SCHAKOWSKY, Mr. LANGEVIN, Mr. RUSH, Mr. WEINER, and Mr. COHEN.
H.R. 4567: Ms. JACKSON LEE of Texas.
H.R. 4573: Mr. WEINER.
H.R. 4594: Mr. OLVER, Mr. KAGEN, and Mr. KIRK.
H.R. 4598: Ms. MARKEY of Colorado, Mr. HASTINGS of Florida, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. GRIJALVA, and Mr. MURPHY of New York.
H.R. 4599: Mr. HINCHEY.
H.R. 4637: Mr. BISHOP of New York.
H.R. 4645: Mr. RUSH.
H.R. 4653: Mr. ADERHOLT and Mr. SOUDER.
H.R. 4677: Mr. DINGELL, Mr. ELLISON, Mr. STARK, Mr. PASCRELL, and Mr. SHERMAN.
H.R. 4678: Mr. DINGELL and Ms. PINGREE of Maine.
H.R. 4687: Mr. COSTA and Mr. FILNER.
H.R. 4690: Mr. MURPHY of Connecticut and Ms. CASTOR of Florida.

H.R. 4693: Mr. OWENS.
 H.R. 4705: Mrs. MYRICK.
 H.R. 4709: Mr. FOSTER.
 H.R. 4710: Mr. SHULER, Ms. SCHAKOWSKY, Mr. JOHNSON of Georgia, Mr. SCOTT of Virginia, Ms. KAPTUR, Mr. KENNEDY, and Mr. GEORGE MILLER of California.
 H.R. 4714: Ms. CORRINE BROWN of Florida.
 H.R. 4720: Ms. MARKEY of Colorado, Ms. KOSMAS, Mr. JONES, Mr. NYE, Mr. POLIS of Colorado, Mr. TEAGUE, Mr. LUETKEMEYER, Mr. CHILDERS, Mr. KISSELL, Mr. BARROW, Mrs. LUMMIS, Mr. TAYLOR, Mr. ROE of Tennessee, Mr. FOSTER, Mr. LOEBSACK, Mr. MINNICK, Mr. ELLSWORTH, Ms. GIFFORDS, Mr. BRIGHT, Mr. PERRIELLO, and Mr. PAUL.
 H.R. 4723: Mr. BONNER.
 H.R. 4727: Ms. ZOE LOFGREN of California.
 H.R. 4738: Mr. FORBES and Mr. LAMBORN.
 H.R. 4748: Ms. LORETTA SANCHEZ of California.
 H.J. Res. 76: Mr. GERLACH, Mr. LATOURETTE, Mr. GOODLATTE, Mr. POMEROY, Mr. BARTLETT, and Mr. ROSS.
 H.J. Res. 77: Mr. MCCLINTOCK, Mr. MILLER of Florida, Mr. BONNER, Ms. FOXX, Mr. LAMBORN, Mr. SOUDER, and Mr. MARCHANT.
 H.J. Res. 78: Mrs. DAHLKEMPER.
 H.J. Res. 79: Mr. INGLIS, Mr. GARRETT of New Jersey, Mr. CHAFFETZ, Mr. BISHOP of Utah, Mr. FLAKE, Mr. MANZULLO, Mr. LATTA, Mr. GINGREY of Georgia, Mr. BRADY of Texas, Mr. BURTON of Indiana, Mr. PRICE of Georgia,

Mr. AKIN, Mr. MARCHANT, Mrs. BLACKBURN, Mr. FLEMING, Mr. PITTS, Mr. MCCLINTOCK, Mr. JORDAN of Ohio, and Mr. LAMBORN.
 H. Con. Res. 137: Ms. WATERS.
 H. Con. Res. 198: Mr. DELAHUNT, Mr. WILSON of Ohio, Ms. HARMAN, and Mr. BURGESS.
 H. Con. Res. 200: Mr. TONKO.
 H. Res. 173: Mr. ARCURI and Mr. FILNER.
 H. Res. 311: Mr. MCGOVERN and Mr. COHEN.
 H. Res. 330: Ms. BORDALLO, Mr. KRATOVIL, Mr. JOHNSON of Georgia, Mr. ELLSWORTH, Mr. ROONEY, Mr. SMITH of Washington, Mrs. DAVIS of California, Mr. LANGEVIN, Mr. FRANKS of Arizona, Mr. OWENS, and Mr. MURPHY of New York.
 H. Res. 510: Mr. SCHRADER.
 H. Res. 569: Mr. CARNAHAN.
 H. Res. 577: Mr. ARCURI.
 H. Res. 886: Mr. ROONEY and Mr. SMITH of Nebraska.
 H. Res. 950: Mr. COHEN.
 H. Res. 1026: Mr. BURGESS.
 H. Res. 1033: Mr. HOEKSTRA, Mr. SESTAK, Mr. TIM MURPHY of Pennsylvania, and Mr. SOUDER.
 H. Res. 1053: Mr. HASTINGS of Florida, Mr. GENE GREEN of Texas, and Mr. BRALEY of Iowa.
 H. Res. 1055: Mr. BRADY of Pennsylvania.
 H. Res. 1090: Mr. COHEN.
 H. Res. 1091: Mr. TONKO.
 H. Res. 1099: Ms. BORDALLO, Mr. WALZ, Mr. SESTAK, Mrs. DAHLKEMPER, Mr. BACA, Mr.

COOPER, Ms. CASTOR of Florida, Ms. SCHWARTZ, Mr. MARSHALL, Ms. HIRONO, Mr. LANGEVIN, Mr. TAYLOR, Ms. LORETTA SANCHEZ of California, Mr. HODES, Mr. MICHAUD, Mr. KIND, Ms. BEAN, Mr. SMITH of Nebraska, Mr. DEFAZIO, and Mr. BRADY of Pennsylvania.

H. Res. 1116: Mr. HONDA, Mr. GENE GREEN of Texas, Ms. BALDWIN, Mr. WU, Mr. SCHIFF, Mr. LANGEVIN, Mr. KENNEDY, Mr. WAXMAN, Ms. SCHWARTZ, Mr. KILDEE, Mr. MOORE of Kansas, Mr. MORAN of Virginia, Mr. RYAN of Ohio, Ms. SHEA-PORTER, Mr. CASTLE, Mr. STARK, Mr. COLE, Mr. SPRATT, Mr. COBLE, Ms. CASTOR of Florida, and Ms. RICHARDSON.

H. Res. 1122: Mr. CHANDLER and Mr. WU.
 H. Res. 1123: Mr. KLINE of Minnesota and Mr. PAULSEN.

H. Res. 1128: Mr. ROGERS of Kentucky, Mr. LAMBORN, Ms. JACKSON LEE of Texas, Mr. PAYNE, Mr. GENE GREEN of Texas, Ms. LEE of California, Mr. COSTA, and Mr. KLEIN of Florida.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 4529: Mr. PAULSEN.